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City and County of San Francisco
SMALL BUSINESS COMMISSION



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**Notice of Meeting & Agenda
For
Monday, January 12, 2004**

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

City Hall, Room 400 @ 5:30PM

COMMISSIONERS:

Yasin "Sal" Salma, President

Gwendolyn Wright, Vice President

Nick Aiello

Dick Mak

Director – Julie Brandt
Commission Secretary – Martha Yanez

1. Roll Call

Call of roll of the Small Business Commissioners for the January 12, 2004 meeting of the SBC.

2. Approval of Minutes

Action Item

Presentation, discussion, and possible action to approve the November 10, 2003 meeting minutes.

Explanatory Documents: Draft meeting minutes from the November 10, 2003 SBC meeting.

3. Update/Wrap-up of "Shop Outside the Box" campaign

Discussion Item

[Presentation by Davis & Associates]

Update and wrap-up discussion of the "Shop Outside the Box" campaign.

4. "Small Business Commission Restaurant Outreach and Support Program"

Discussion, Possible Action Item

[Presentation by Julie Brandt, Director]

Presentation, discussion and possible action for the Small Business Commission to approve the proposed "Small Business Commission Restaurant Outreach and Support Program."

Explanatory Documents: "Small Business Commission Restaurant Outreach and Support Program" proposal

5. Department of Public Works Proposed Fee Increases for Street and Sidewalk Use Permits

Discussion, Possible Action Item

[Presentation by Tina Olson & Todd Huntington, DPW]

Presentation, discussion and possible action for the Small Business Commission to make a recommendation on the proposed fee increases for street and sidewalk use permits.

Explanatory Documents: Information on proposed fee increases for street and sidewalk use permits

6. SBC Budget Update

Discussion Item

[Presentation by Gwen Wright]

Update of the Small Business Commission Budget.

7. President's Report

Discussion Item

This item allows the President of the Commission to report on recent small business activities and make announcements.

8. Director's Report

Discussion Item

This item allows the Director of the Commission to report on recent small business activities and make announcements.

9. New Business

Discussion Item

This item allows the Commissioners to introduce new agenda items for future consideration.

10. General Public Comment

Discussion Item

This item allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration.

11. Adjournment

Requires motion and public comment.

Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.

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Small Business Commission >> Meetings

City and County of San Francisco
Small Business Commission



January 12, 2004 (Regular)

CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

MEETING MINUTES

Monday, January 12, 2004 5:30 PM

Small Business Commissioners

Nick Aiello, Dick Mak, Yasin "Sal" Salma, Gwendolyn Wright

Director - Julie Brandt

Commission Secretary - Martha Yanez

Members Absent: None, all present

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Call to order:

Item 1 - Roll Call

- The Small Business Commission met on Monday, January 12, 2004 in regular session. The meeting was called to order at 5:42 PM.

Item 2 - Approval Of Minutes For The November 10, 2003 Meeting.

Action: Commissioner Aiello made a motion to approve the minutes as submitted. Commissioner Wright seconded. Unanimous approval from the Commission.

Item 3 - Update/Wrap-up of "Shop Outside the Box" campaign

- Venita Robinson: Of Davis & Associates reported on the recent "Shop Outside the Box" campaign. She stated that the goal of the campaign was to promote the Small Business Commission, to strengthen the relationship between the small business community and the SBC, and to encourage folks to shop at local small businesses. She reported that she had received positive feedback from both participants and attendees. She said it was a successful campaign bringing much needed attention to both local small businesses and to the Commission with its targeted media campaign. She reported that her firm put in roughly 347 hours toward the campaign, building relationships, negotiating

advertisements both on print and on television, and outreach. She encouraged the SBC to capitalize off the campaign and the extensive media exposure and she suggested that the SBC provide funding for these events in the future.

- **Wendy Allen:** Of Miss Fit & Co., one of the participants in the "Shop Outside the Box" celebration stated that the event had been the best show that she had participated in during the holidays. She stated that it was an extremely successful event for her and she was most grateful to the Small Business Commission for supporting it. She stated that prior to the campaign, she did not know about the Small Business Commission and believes it was a good campaign to promote both the SBC and small businesses.
- **Akbar Moghaddam:** Of Sol Drums & Percussion, the winner of the Most Innovative Entrepreneur of The Year award, stated that "Shop Outside the Box" is the best think that has happened to him since he's been in San Francisco. He stated that although he did not make any sales at the event, he did get some free marketing and publicity. He thanked the Commission for putting the campaign together and for the event.
- **Commissioner Salma:** Thanked Davis and Associates and the participants for their commitment to "Shop Outside the Box." He also thanked Kay Yip of the Mayor's Office for all her help with the campaign. He said that next year he wanted it to be bigger and better.
- **Commissioner Wright:** Thanked everyone who helped and participated. She especially thanked the merchants for their entrepreneurial spirit.
- **Susan Reynolds:** Of the Mayor's Office of Community Development thanked the Commission and Julie Brandt in particular for putting the campaign together. She encouraged support for the second annual event this year. She stated that she was impressed with the job that Davis and Associates did and she thanked Venita. She suggested that the event include more lower priced merchants this year, stating that most of the merchandise being offered was on the expensive end.

Item 4 - "Small Business Commission Restaurant Outreach and Support Program"

- **Commissioner Salma:** Stated that Item 4 would be continued for the February meeting of the Commission.

Item 5- Department of Public Works Proposed Fee Increases for Street and Sidewalk Use Permits

- **Martha Yanez:** Read into the record a letter from Director Ed Lee of DPW to the Small Business Commission dated January 7, 2004.
- **Director Ed Lee:** Of the Department of Public Works, apologized for not having noticed the Small Business Commission of his departments proposed fee increases for street and sidewalk use permits. He said it was an oversight by his department. He said that he had requested that the hearing officer keep the record open to allow for the Small Business Commission to submit their comments and or recommendations. He stated that it is a budget related process that they are faced with and said that he understood that increases of this size are hurtful and destructive to small businesses. He stated that he would make his final decision on behalf of the department after he receives the hearing officer's recommendation.
- **Commissioner Salma:** Stated that he understands that departments have budget problems, but said that it seems that departments want to balance their budgets on the backs of small businesses.
- **Director Lee:** Stated that the program, which administers the tables and chairs and display merchandise, had been subsidized in the past by the general fund. He stated that in the last budget the Board of Supervisors had said no more, directing DPW to recover the costs from the program.

- Commissioner Salma: Replied stating that may be so, adding that he thinks the intent of the Supervisors was to recover the cost at a reasonable rate, something comparable to cost of living, not a 300% increase.
- Commissioner Wright: Stated that the proposed fee for display merchandise is equal to an average of \$553 annually, she asked what the current fee is? This question also applies to the tables and chairs. She also asked for the total number of administrative staff, the current number of staff that reviews insurance compliance, and the number of staff that inspects the display merchandise, adding that of that what percentage is that of your total administrative budget? Furthermore she asked what percentage of the budget goes toward education? She recommended that the proposed restaurant initiative being considered by the SBC could assist in that particular area.
- Todd Huntington: Deputy Bureau Manager of the Department of Public Works echoed the remarks made by Director Lee. He stated that he and Seth Steward had established a relationship but with his departure things fell through the wayside. He replied to Commissioner Wright's question stating that at the present time DPW is not collecting the fees that they are proposing to in order to get cost recovery. The staff that he says are assigned to the program is not funded and yet it is assigned. He started with administrative staff, stating that they do not have one individual in their clerical staff and the administrative side assigned to the program, however because they have a computer system and a data system they do use the clerical staff that is involved in other operations in a larger sense for the bureau that involve to record the information, so he said it was reasonable to say that they have a part time clerk, half time a year working specifically for tables and chairs and display merchandise. He stated that the engineering position is an engineer with one of the technical classes not a full engineer, adding that this is the one individual, the one full time employee whose sole responsibility is to review the permits, the plans, the insurance, and that the fee is paid. He stated that they have coupled both display merchandise and table and chairs together because they have opted to go by neighborhood and date as opposed to sending an inspector to one end of town and then the next into town. He stated that they have had up to 5 inspectors in the field following up on various display and table and chairs issues in the field.
- Commissioner Wright: Asked the following: Of those 5 inspectors, what percentage of their time is toward the insurance and display compliance to the Public Works Code.
- Todd Huntington: Stated that as far as validating the insurance, they have diverted about 10% of their time into assisting in that effort, but reiterated that it is the responsibility of the one full time processing engineer.
- Commissioner Wright: Asked how many businesses are inspected annually for compliance and insurance?
- Todd Huntington: Replied stating that the total is 390 locations for display and 389 for tables and chairs.
- Commissioner Wright: Asked, "Of the total budget, what percentage is currently allocated for the display merchandise compliance and table and chairs compliance. She also asked what is proposed.
- Todd Huntington: Stated that at the present time the cost is over \$600,000 for a four person staff. He said that what they are proposing to do is reduce one staff member down to a staff of three, which lowers the cost to approximately \$465,000, adding that the way the fees are proposed with the lower figure that he devised in the last two weeks, adding that the income will hopefully provide \$467,000. He said that their proposed budget is based upon a reduction of one full time staff position and then there would be a resulting effect in the total cost to the small business owner, stating that since their cost recovery rate is now 4567,000, the new fees will give them an opportunity to make cost recovery.
- Julie Brandt: Restated Commissioner Wright's question about education, stating

what percent of the budget is spent on community education and what percent on enforcement. She stated that she would like to know what percent of the businesses being inspected are out of compliance.

- Todd Huntington: Stated that his office has the authority to visit financial penalties on any merchant not in compliance with the code and policies. Director Lee has encouraged his staff to provide education and outreach. He stated that 100% of the time that an inspector is on duty he/she is required to not any non compliance with the code or policies that have been established by the bureau. However he stated that it was a distinct choice that they made was in the outreach, adding that they can explain to a merchant why they are out of compliance or they can explain to them why they are out of compliance and provide them a notice of infraction, which carries a penalty. He stated that they made the choice to educate and thus the ballooning of their staff, but he said outreach is a much more difficult job and is more time consuming, which is reflected in their fee recovery.
- Commissioner Salma: Stated that he thinks the Small Business Commission could assist with the education and outreach effort, by partnering with DPW.
- Director Lee: Stated that he was willing to work with the Commission to reach a compromise.
- Linda Mjellum: Of the Union Square Association stated that her association has had a wonderful relationship with DPW. She stated that the association is the applicant for the permits on Maiden Lane and that is how they found out about the proposed fees. She said that DPW is between a rock and a hard place, but said that the methodology is not right. She stated that the per square foot fee would cause merchants to take away a services or to down size.
- Alessandro Baccari: Of the Fisherman's Wharf Association stated that they cover 32 blocks of Fisherman's Wharf and that he is deeply concerned about this. He stated that this was a golden opportunity for the SBC to work with DPW. He recommended that there be a moratorium for 3 weeks and said that there are other places to get money, for example the hotel tax. He recommended that Mr. Lee fulfill his commitment to work with the SBC and come back in 3 weeks with a proposal that all can agree on.
- Director Lee: Explained the process, stating that the hearing officer would keep the current record open until January 23rd. He would then have 10 days to submit his recommendation to Director Lee, at which time Director Lee would then have 10 days to accept, reject, or modify.
- Julie Brandt: Restated that the Commission does not support the fees as they stand, for the reasons they have enumerated and that in this interim period the SBC will work with collectively with DPW and other stakeholders to come to some kind of agreement as to how we can work together to defray the costs if not eliminate or significantly reduce them to minimize the impact on small businesses.

Action: Commissioner Wright made a motion based on that restated by Julie Brandt, that the Commission does not support the fees as they stand, and for the Small Business Commission to work with DPW and other stakeholders to come to some kind of agreement as to how the SBC and DPW can work together to defray the costs if not eliminate or significantly reduce them to minimize the impact on small businesses. Commissioner Salma seconded. Unanimous approval from the Commission.

Item 6- SBC Budget Update

- Commissioner Wright: Stated that currently the Commission is at their half way mark as of December 31, 2003, half way through the fiscal year, which began July 1st, 2003 ending June 30, 2004. She stated that the SBC has approximately 43% of the initial budget remaining, which is approximately

168,000, which is earmarked for not only administration, but for marketing, BID, for the restaurant initiative as well as promotions.

Item 7- Commissioner's Report

- **Commissioner Salma:** Reported that the City has a new Mayor and he wished him the best from the Commission. He reported that the former Mayor had made his appointments to the Commission and he thanked the outgoing Commissioners for their tireless service to the small business community. He stated that the Commission would look forward to the Board of Supervisors appointments. He thanked Director Lee for attending. He stated that the Commission should change the scope of the agendas and focus on retail districts. He stated that the Commission should concentrate on small business corridors such as Ocean Avenue.

Item 8 - Director's Report

- **Julie Brandt:** Recommended that the Commission host a luncheon for the former Commissioners to thank them for their service. She reported that the SBC had helped Supervisor Fiona Ma with a Sunset Merchant Directory. She reported that Supervisor Aaron Peskin's legislation on BID's would be heard in committee on January 28th and said she hoped to get approval. She reported that the sfbizinfo site is currently available in Spanish and Chinese and she encouraged the Commissioners to check it out.

Item 9 - New Business

- **Commissioner Wright:** Recommended that when the rest of the Commissioners are appointed, that they should have a training on the rules or order and meeting laws as they had the year before.

Item 10 -General Public Comment

- None

Item 11 - Adjournment

Action: Commissioner Salma motioned to adjourn the meeting. Commissioner Mak seconded. Unanimous approval from the Commission. The meeting was adjourned at 7:27 p.m.



City and County of San Francisco
SMALL BUSINESS COMMISSION

Notice of Meeting & Agenda
For

Monday, February 9, 2004

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

City Hall, Room 400 @ 5:30PM

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COMMISSIONERS:

Nick Aiello

Dick Mak

Yasin "Sal" Salma

Gwendolyn Wright

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Director – Julie Brandt
Commission Secretary – Martha Yanez

1. **Roll Call**
Call of roll of the Small Business Commissioners for the February 9, 2004 meeting of the SBC.
2. **Approval of Minutes**
Action Item
Presentation, discussion, and possible action to approve the January 12, 2004 meeting minutes.
Explanatory Documents: Draft meeting minutes from the January 12, 2004 SBC meeting.
3. **Presentation and Consideration Of Formula Retail Legislation File No. 031501**
Discussion, Possible Action Item
[Presentation by the Office of Supervisor Matt Gonzalez]
Presentation, discussion and possible action for the Small Business Commission to comment or make a recommendation on the proposed Formula Retail Legislation.
Explanatory Documents: Formula Legislation File No. 031501
4. **Ordinance Reducing Parking Meter Rates**
Discussion, Possible Action Item
[Presentation by David Owen of the Office of Supervisor Aaron Peskin]
Presentation, discussion and possible action for the Small Business Commission to comment or make a recommendation on the proposed Ordinance Reducing Parking Meter Rates in parking meter area number three, as defined in Article 12 of the San Francisco Traffic Code, Section 203.3.
Explanatory Documents: Proposed Ordinance Reducing Parking Meter Rates in parking meter area number three, as defined in Article 12 of the San Francisco Traffic Code, Section 203.3
5. **Urging State Law Change**
Discussion, Possible Action Item
[Presentation by David Owen of the Office of Supervisor Aaron Peskin]
Presentation, discussion and possible action for the Small Business Commission to comment or make a recommendation on proposed Resolution urging the California State Legislature to pass legislation to modernize laws related to alcohol closing hours.
Explanatory Documents: Proposed Resolution urging the California State Legislature to pass legislation to modernize laws related to alcohol closing hours
6. **Earned Income Tax Credit**
Discussion Item
[Presentation by Terri Feeley, Executive Director SF Works]
Informational presentation and discussion on the Earned Income Tax Credit.
Explanatory Documents: Informational materials on the Earned Income Tax Credit
7. **The Women's Foundation *La Cocina* Grant Status Update**
Discussion Item
[Presentation by Judy Patrick, Vice President of Program Operations, Women's Foundation]
Presentation, discussion and update on the Small Business Commission's grant to the Women's Foundation for funding of *La Cocina*.
8. **President's Report**
Discussion Item
This item allows the President of the Commission to report on recent small business activities and make announcements.
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Requires motion and public comment.

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COMMISSIONERS:

Nick Aiello
Dick Mak
Yasin "Sal" Salma
Gwendolyn Wright

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Small Business Commission >> Meetings

City and County of San Francisco
Small Business Commission



February 09, 2004 (Regular)

CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

DRAFT MEETING MINUTES

Monday, February 9, 2004 5:30 PM

Small Business Commissioners

Nick Aiello, Dick Mak, Yasin "Sal" Salma, Gwendolyn Wright

Director - Julie Brandt

Commission Secretary - Martha Yanez

Members Absent: None, all present

Call to order:

Item 1 - Roll Call

- The Small Business Commission met on Monday, February 9, 2004 in regular session. The meeting was called to order at 5:34 PM. All the Commissioners were present.

Item 2 - Approval Of Minutes For The January 12, 2004 Meeting.

Action: Commissioner Aiello made a motion to approve the minutes as submitted. Commissioner Wright seconded. Unanimous approval from the Commission.

Item 3 - Ordinance Reducing Parking Meter Rates

- David Owen: Legislative Aid to Supervisor Aaron Peskin, stated that the main reason for bringing this item before the Commission was that they want to get a sense from the Commission in regards to this issue. He stated that the ordinance came about as Supervisor Peskin was speaking with merchants in North Beach and in District 3 and hearing their concerns about parking, including anecdotal concerns such as customers coming in and complaining about the amount of change required to park for a couple hours to do some shopping. He said that the merchants were expressing concern that it was

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having a negative impact on folks who would otherwise park their cars for an hour to an hour and a half to do some shopping and drive elsewhere. With that he stated that he looked forward to getting the Commission's comments and thoughts on the issue, and offered to answer any questions.

- **Commissioner Salma:** Asked if he could explain area #3? He asked what the new rate would be?
- **David Owen:** Clarified that as he understood it, area 3 is everywhere in San Francisco that is not the Fisherman's Wharf area, the downtown Financial District, or SOMA up into the Inner Mission. So basically all of the neighborhood commercial corridors, which have parking meters anywhere in the City and County of San Francisco. He stated that this rate would revert to the meter rates that were increased during the budget process last year (30 minutes per quarter, 12 minutes per dime, 6 minutes per nickel).
- **Commissioner Wright:** Asked how they came up with the area excluding all of the other neighborhoods? She asked how much revenue is reduced by this increase in meter time? How much anticipated money is spent in the meter area #3 if the increase goes forward, because more spending in the neighborhoods is anticipated.
- **David Owen:** Replied to the first question of why zone 3, stating that as they looked at the parking situation citywide, they looked at the way districts were broken up, and there was clearly a public policy rational for having certain structure of fees in the downtown financial district. He said it was a very transit intensive district, a district where it makes sense to have shorter parking schedule for on street parking. With respect to the fiscal impact, he stated that there is a shortfall of 7-8 million dollars per year to the DPT budget. He stated that this is a preliminary number because there is not yet a report from the budget analyst. He stated that he was not able to quantify the difference from the revenue lost to that possibly gained by increased shopping.
- **Diana Hammons:** Of the Department of Parking and Traffic presented DPT's position on the proposed ordinance, stating that DPT respectfully requests that the Commission oppose the proposed legislation. She stated that DPT would have to reduce their labor as a result, adding that the fiscal impact would be between a 5.3 million to an 8 million dollar reduction to DPT's budget.
- **Stephen Cornell:** A member of the public and former Small Business Commissioner stated that meters originated in the 1940's to turn over parking, which benefits merchants. He stated that parking is cheaper on the streets than it is in the garage. He stated that if the fees go down garages aren't going to lower their fees because they can't, stating that there is a 25% City tax on parking garages, not to mention the living wage that must be paid to the employees of said garages. He stated that having spaces on the street cheaper than garages invites people to park on the street, feed the meter, and maybe get an occasional parking ticket. He stated that merchants want turn over, lots of turnover. He questioned what happened to the off street parking fund, adding that if 8 million dollars will be reduced from the fund, make sure it goes into a rainy day fund to build more garages, something that will help relieve the situation. More garages in neighborhoods.
- **Jordanna Thigpen:** A member of the public and owner of a small business in the Marina, stated that she would support at looking way for DPT to increase revenue, not to decrease it, even though she states that her customers also don't like to carry around a lot of coins and pay more.
- **Commissioner Salma:** Stated that he would recommend that the Commission continue the item until a full body Commission could hear it.

Action: Commissioner Aiello made a motion to continue the item as recommended by Commissioner Salma Commissioner Wright seconded. Unanimous approval from the Commission.

Item 4 - Urging State Law Change

- David Owen: Legislative Aid to Supervisor Aaron Peskin Stated that the proposed ordinance urges the state to take action for late closures. He stated that other states including New York and Houston currently have late closures. He stated that studies have shown that later closing hours actually do not increase drunken driving accidents, but rather result in a lower alcohol related incidents. He stated that some people may be concerned about what this will do to their neighborhoods, but he said that there are only certain zones where this is allowed, and this is already outlined in the planning zoning laws. He stated that those laws would have to be respected. He stated that San Francisco needs to be at the cutting edge and needs to be able to compete with other major cities. He said that the change at the state level would help San Francisco do just that.
- Commissioner Salma: Asked if a neighbor could protest if they so choose to?
- David Owen: Replied stating that it would depend on the zoning laws for said place.
- Commissioner Wright: Stated that at first glance it looked like a great idea. She raised questions regarding the statistical correlation between the late closing hours and the increase in tourism and revenue. She asked if there had been studies on this? She asked what the current number of late night permits is in the city.
- Commissioner Aiello: Asked if Assemblyman Mark Leno is currently proposing this at the state level? He asked if it didn't pass in the state, does that mean that San Francisco can't enact it?
- David Owen: Replied to Commissioner Wrights questions, stating that he did not currently have that information but would be happy to do some research and get back to her. To Commissioner Aiello's question he stated the affirmative.
- Commissioner Mak: Asked if the Police are supporting the measure?
- David Owen: Stated that he could not speak for the Police Department, but he believed they had some issues with it.
- Stephen Cornell: A member of the public, asked if the measure only effects bars. What about off sale liquor stores. He said that late closures should also be considered for businesses that cater to bars such as restaurants that may also benefit.
- David Owen: Replied stating that the legislation at the state level only addresses serving alcohol on-site.
- Commissioner Salma: Stated that the Commission seems to like the idea, but recommended that a full-bodied commission consider the issued.

Item 5- Earned Income Tax Credit

- Terri Freeley: Executive Director of SF Works, briefed the Commission about the earned income tax credit, a benefit that businesses could provide to workers at not cost to the employer. She handed out information and encouraged the Commissioners to share the information with others and take advantage of the tax credit if applicable.

Item 6- The Women's Foundation La Cocina Grant Status Update

- Judy Patrick: Vice President of Program Operations for the Women's Foundations updated the Commission on its grant with the Foundation for their project-La Cocina. She stated that La Cocina is a shared use commercial kitchen, which was created to address the needs of the women in the community. She said that there were many women starting or running businesses out of their homes and selling food illegally. La Cocina provides them a permitted kitchen that they can use until they grow. She reported that since last Monday's open house, about 150 people have called and are

interested in space. She stated that clients must have a business plan, and the kitchen will operate between 6am-10pm by the hours. She said that smaller businesses would pay less than larger ones. She stated that the equipment would be installed within the next 2-3 months and then they would begin to screen clients and should have people ready to go soon thereafter. She said that it is a partnership with other organizations such as Women's Initiative for Self Employment (WISE) and ALAS, the Spanish version of WISE, stating that the curriculum is almost complete. These organizations will help the women prepare their business plans.

- Elizabeth Saviano: A member of the public thanked the Commission for supporting the program.

Item 7- Commissioner's Report

- Commissioner Salma: Reported that the Rules Committee would be meeting on Wednesday at 9:30 AM to discuss the appointments to the Commission. He reported that the SBC and other key stakeholders had met with DPW regarding their fee increases, stating that they were able to bring the increase down from 300% to a 98% increase. He reported that Director Julie Brandt would be leaving the Commission for greener pastures. He thanked her for all her work, and wished her well in her new endeavors.

Item 8 - Director's Report

- Julie Brandt: Reported that SBC staff had attended an event sponsored by Supervisors Daly and Ammiano to discuss issues in the Mission District. She reported that staff had also participated in Supervisor Ma's event at City Hall providing information on the SBC and starting a business. She reported that the restaurant initiative has been put into place, and last but not least, she reported that the ordinance regarding storage containers is being amended to accommodate On Call Storage.

Item 9 - New Business

- No new business to report

Item 10 -General Public Comment

- Maureen Sedona: Executive Director of Youth Leadership Institute, expressed her organizations concerns with public health and public safety with respect to state law change to extend drinking hours.
- Richard Parker: Invited the Commission to attend a victory celebration for the passage of Proposition D on Tuesday February 24, 2004 at the Ferry Building from 5:30-7pm. He stated that he applied for one of the vacancies to the Commission and said he looked forward to working with the Commission.
- Scott Northrup: A small business owner addressed the Commission and asked for their help in getting paid by the City for services rendered. He stated that he is one of a group of small businesses who are seeking to get paid at total of 360,000 for services they provided to the City through a prime contractor.
- Stephen Cornell: Stated that the City will implement the new minimum wage ordinance beginning on the 24th of February. He said that the Commission should send out information about it. He stated that he was very disappointed that the Commission did not hear the prevailing wage ordinance, which was already approved.
- Jordanna Thigpen: Stated that she was attempting to run a Farmers Market on Steiner Street from 4-8PM. She said that if successful she looked forward to

implementing more.

Item 11 - Adjournment

Action: Commissioner Aiello motioned to adjourn the meeting. Commissioner Mak seconded. Unanimous approval from the Commission. The meeting was adjourned at 7:01 p.m.

SF Docs

From: Martha Yanez [Martha.Yanez@SFGOV.ORG]
To:
Cc: *Small Business Commission*
Subject: Small Business Commission Meeting CANCELLED
Attachments:

Sent: Mon 3/8/2004 11:41 AM

Please note that today's meeting (Monday, March 8, 2004) of the Small Business Commission has been CANCELLED. The next meeting is scheduled for Monday, April 12, 2004.

Sincerely,
Martha P. Yanez
Small Business Commission
City Hall, Suite 436
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102
Ph. (415) 554-6134 Fx. (415) 558-7844
www.sfgov.org/sbc www.sfbizinfo.org

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City and County of San Francisco

SMALL BUSINESS COMMISSION

Notice of Meeting & Agenda

For

Monday, May 10, 2004

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MAY - 7 2004

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City Hall, Room 400 @ 5:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

COMMISSIONERS:

Florence Alberts
Norman Ishimoto
Michael E. O'Connor
Dr. Raye Richardson
David Sahagun
Jordanna Thigpen
Richard Ventura

Commission Secretary – Martha Yanez

1. Roll Call for the May 10, 2004 meeting of the Small Business Commission
2. Drawing of Lots by the Clerk of the Board of Supervisors pursuant to Charter Section 4.134 to stagger initial terms of the newly Board of Supervisors appointed members to the newly Chartered Small Business Commission (ACTION ITEM)
3. Presentation by Deputy City Attorney Regarding the New Role of the Commission and Meeting Procedures (DISCUSSION ITEM)
4. Election of President of the Commission (ACTION ITEM)
5. Election of Vice President of the Commission (ACTION ITEM)
6. Discussion and Possible Action to set the time and place for Regular Meetings of the Small Business Commission (ACTION ITEM)
7. Public Comment on all matters pertaining to the closed session
8. Closed session held pursuant to Government Code Section 54957 and San Francisco Administrative Code Section 67.10(b):
PUBLIC EMPLOYEE APPOINTMENT/HIRING
TITLE: Executive Director (ACTION ITEM)
9. Reconvene in open session
10. Vote to elect whether to disclose any or all discussions held in closed sessions. (San Francisco Administrative Code Section 67.12 (a)). (ACTION ITEM)
11. President's Report –allows president to report on recent small business activities and make announcements (DISCUSSION ITEM)
12. New Business –allows the Commissioners to introduce new agenda items for future consideration (DISCUSSION ITEM)
13. General Public Comment –allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (DISCUSSION ITEM)
14. Adjournment

Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.

Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 436. Please call Martha Yanez (415) 554-6134 to make arrangements for pick up or review.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that city operations are open for the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083. To obtain a free copy of the Sunshine Ordinance contact:

Donna Hall, Administrator
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
Office: (415) 554-7724
Fax: (415) 554-5163
E-Mail: Donna.Hall@sfgov.org

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org.

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Small Business Commission >> Meetings

City and County of San Francisco

Small Business Commission



May 10, 2004 (Regular)

CITY AND COUNTY OF SAN FRANCISCO

~~SMALL BUSINESS COMMISSION~~

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

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~~DRAFT MEETING MINUTES~~

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Monday, May 10, 2004 5:30 PM

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____ Small Business Commissioners ____

Florence Alberts, Norman Ishimoto, Michael O'Connor, Dr. Raye Richardson, David Sahagun, Jordanna Thigpen, Richard Ventura

Commission Secretary - Martha Yanez

Members Absent: None, all present

Call to order:

Item 1 - Roll Call

- The Small Business Commission met on Monday, May 10, 2004 in regular session. The meeting was called to order at 5:35 PM. All the Commissioners were present.

Item 2 - Drawing of Lots by the Clerk of the Board of Supervisors pursuant to Charter Section 4.134 to stagger initial terms of the Board of Supervisors appointed members to the newly Chartered Small Business Commission (Action Item)

- Gloria Young, Clerk of the Board of Supervisors with the assistance of Ms. Diana Perez did the drawing of lots. The Board of Supervisors appointees were read into the record as David Sahagun, Michael O'Connor and Jordanna Thigpen. The Charter states that the Board of Supervisors shall designate one of its initial appointments to serve a two-year term. Thereafter all commissioners shall serve for four-year terms. David Sahagun was the name drawn to serve an initial two-year term.

Item 3 - Presentation by Deputy City Attorney Regarding the New Role of the Commission and Meeting Procedures (Discussion Item)

- Deputy City Attorney Virginia Dario Elizondo briefly explained the difference from the previous commission and the newly Chartered Commission referencing Appendix 5 in the Good Government Legal Guide. She stated that this section lays out the responsibilities of all of the Chartered Commissions. Some differences include the recommendation to the Mayor of a department head, the recommendation of a budget to the Mayor's Office, to oversee the grants and programs concerning and benefiting small businesses, to review all legislation affecting small businesses and make recommendations to the Board of Supervisors, and collect and analyze information about the small business economy in San Francisco as well as conduct investigations under the power of inquiries into any aspect of government operations affecting small businesses including holding hearings and taking testimony and making recommendations to the Board of Supervisors and to the Mayor's Office. Scott Hauge clarified that another function of the new Chartered Commission is to run the Office of Small Business.

Item 4 - Election of President of the Commission (Action Item)

- Richard Ventura nominated Dave Sahagun. Jordanna Thigpen seconded the nomination. Norman Ishimoto moved to close the nominations. Dr. Raye Richardson seconded the motion. The commissioners unanimously voted to close nominations for President. There was no public comment and the role was called for the vote for Dave Sahagun to serve as President of the Small Business Commission. Unanimous approval.

Item 5- Election of Vice President of the Commission (Action Item)

- Richard Ventura nominated Norman Ishimoto. Dr. Raye Richardson seconded the nomination. Michael O'Connor nominated Florence Alberts. Jordanna Thigpen seconded the nomination. Norman Ishimoto nominated Richard Ventura. Dr. Raye Richardson seconded the nomination. Dr. Raye Richardson suggested entertaining the possibility of the nominees not wanting to serve as VP. The question was asked of each of them, to which they each replied that they would serve if elected. Norm Ishimoto received four votes on the third vote and thus was elected Vice President of the Small Business Commission.

Item 6- Discussion and Possible Action to set the time and place for the Regular meetings of the Small Business Commission

- After some discussion about the time and place for the meeting, Jordanna Thigpen made a motion to keep the meeting at it's current time and place, that being the second Monday of the month at 5:30 PM in Room 400. Dr. Raye Richardson seconded. Susan Reynolds, a member of the public and Loan Program Administrator for the Mayor's Office of Community Development, recommended that the Commission hold some meetings at various neighborhoods throughout the city. Dr. Richardson asked how having these meeting off site would effect the budget. The Deputy City Attorney explained that the commission would not be precluded from holding meeting outside of it's regular meeting place or time, and that staff would be responsible for scheduling those meeting and handling all the logistics in accordance with Sunshine Ordinance. These would be special meeting and would require 15 day notice if the locations changed. Scott Hauge, a member of the public congratulated the new Commission particularly Dave and Norman for their election to President and Vice President. He stated that this was a historic moment not only to San Francisco, but also in the United States, stating that it is the first Chartered Commission of it's kind in the states. He said it did not come easy and he named the people who were involved from the beginning

going back 18 years. He suggested that the commissioners read a report from last September of small businesses in San Francisco, stating that there are 108,000 small businesses, comprising 52% of the private sector employment in San Francisco. The majority of the new jobs created are by small businesses in San Francisco and their combined payroll is 15.8 billion dollars. He asked the Commission to remember these small businesses in mind when they vote on issues and develop their economic plan etc. He wished them well and suggested that the SBC coordinate with the MONS, who are already organizing merchant walks. A member of the Union Street Merchants Association suggested that the Commission establish a liaison to the Council of District Merchants who already has organized meeting and meeting locations. Dave Sahagun stated Dr. Richardson brought up a good point and said that there needs to be further discussion on it before taking action. He also thanked Scott Hauge for all his efforts. He also thanked the past Commissioners who served the small business community, naming the immediate past commission by name. Stephen Cornell, a member of the public and representing the Small Business Network and the Council of District Merchants explained that the past commission had scheduled a lot of meetings off site in the form of merchant walks. He stated that they were noticed to the public and did not cost the commission anything, adding that the commission secretary did a good job of finding a location and organizing it. The Commission seemed to be in favor of something similar. The item was tabled to the next meeting. Dave directed the secretary to make the contact with MONS.

Item 7- Public Comment On All Matters Pertaining To The Closed Session

- None at this time

Item 8 - Closed Session Held Pursuant to Government Code Section 54957 and San Francisco Administrative Code Section 67.10(b): Public Employee Appointment /Hiring Title Exec. Director

- The commissioners discussed how to nominate people for the executive director position, asking if anyone had any suggestions or knew of anyone. They wondered where to begin looking for candidates. Norman Ishimoto suggested posting the job announcement. Florence Alberts stated that she would like it to be publicized as much as possible, in particular in the neighborhood newspapers, in order to get great candidates. Jesse Blout suggested the Commission form a subcommittee of 3 to review the Director position. Norm Ishimoto made a motion to post the job announcement the Wednesday or Thursday after distributing it to the Commissioners for their review. Jordanna Thigpen seconded. Unanimous approval from the commission. Florence Alberts made a motion to create a committee to look for the director. Richard Ventura seconded. Unanimous approval from the commission. Dave Sahagun appointed Norm Ishimoto to serve as Chair of the Search Committee and Florence Alberts and himself to serve as members. They decided to meet within a week to discuss the procedure to recruit, review and recommend candidates to the Mayor for the Executive Director position. They stated that they wanted someone from Civil Service present at their meeting to answer any questions.

Item 9 - Reconvene in Open Session

- No new business to report

Item 10 -Vote to Elect whether to disclose any or all discussion held in closed sessions. (San Francisco Administrative Code Section 67.12(a). (Action Item)

- Michael O'Connor made a motion not to disclose the discussion held in closed session. Richard Ventura seconded. Richard Ventura and Michael O'Connor voted in favor, all others were opposed to the motion. The motion did not carry. Dr. Raye Richardson made a motion to disclose the discussion held in closed session. Jordanna Thigpen seconded. Richard Ventura and Michael O'Connor were opposed, all others voted in favor. The motion to disclose carries. Norman Ishimoto disclosed the discussion from the closed session stating that a search committee had been formed to recruit, review and recommend nominees for the executive director position of the Commission to the Mayor.

Item 11 - President's Report

- Dave Sahagun thanked everyone for coming and said that they have terrific small business advocates in the audience and he is excited of working with his fellow commissioners and hopes to do everyone proud.

Item 12 - New Business

- Richard Ventura asked to get an update on the Formula Retail legislation and the Transit Impact development fee. Dr. Raye Richardson stated that she would like the Commission to look into whether there is a uniform policy on the awarding of city contracts to small businesses from department to department or if they are done across the board. Jordanna Thigpen asked for an update on the restaurant grading legislation.

Item 13 - General Public Comment

- Pat Christensen, Executive Director of the Council of District Merchants, stated that there is movement a foot to change the permitting process for all the public festivals so that every time one occurs, they would have to go through the entire permitting process from the very beginning. She said that this would increase the difficulty of the permits. She also mentioned that the police are increasing their fees enormously. She suggested that the commission take a look at this issue. Stephen Cornell from the Council of District Merchants Association and the Advocates congratulated the Commission and offered to help with anything. Dr. Richardson stated that she would like help deciding on a Director. Bruce Bonacker of the National Association of Remodeling Industries asked the Commission to look into and put on the agenda the new requirements for lead based paint. He said that the proposal as it is now is only complaint based, which will hurt contractors. Rebecca Silverberg of the Excelsior Merchants Association requested a presentation on the new business improvement districts. Sal Salma, former President of the Commission congratulated the new commission and suggested that the commission focus on helping the small neighborhood commercial districts such as 3rd Street, Ocean Avenue, and Irving Street who may not be part of the Council of District Merchants, but nonetheless need help. Scott Hauge of the Small Business Network stated that the Network represents 15 or 16 associations including the Chamber of Commerce, the Council of District Merchants, Black Chamber, Hispanic Chamber, Gay & Lesbian Chamber, the San Francisco Fashion Industry, Renaissance, the Women's Initiative, the National Association of Woman Business Owners, and others. He suggested that the commission work intently on the budget, and he announced Leland Yee's small business award program and encouraged the commissioners to submit their nominees. Dr. Richardson asked Mr. Hauge if there would be some partnership opportunities with the Network to offer health plans for employees. Mr. Hauge replied stating that the Network does not have a health plan, however he

stated that they are very active in advocacy for small business around health insurance. **Andrew Wood**, Director of the San Francisco International Arts Festival briefly explained his vision and asked for the commission's endorsement of Supervisor Ammiano's legislation that would facilitate his plan to bring SF International Arts Festivities to all 11 districts and collaborate with schools in doing so.

Item 14 - Adjournment

Dr. Raye Richardson motioned to adjourn. Jordanna Thigpen seconded. Unanimous approval from the Commission. The meeting was adjourned at 7:30PM.



City and County of San Francisco

SMALL BUSINESS COMMISSION

Notice of Meeting & Agenda

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For

JUN 10 2004

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Monday, June 14, 2004

City Hall, Room 400 @ 5:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

COMMISSIONERS:

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts

Michael E. O'Connor

Dr. Raye Richardson

Jordanna Thigpen

Richard Ventura

Commission Secretary – Martha Yañez

1. Roll Call for the June 14, 2004 meeting of the Small Business Commission
2. Approval of minutes of the May 10, 2004 Small Business Commission meeting (ACTION ITEM)
3. Presentation of Resolution to the Small Business Commission by Speaker pro Tempore Leland Yee, CA State Assembly (DISCUSSION ITEM)
4. Review and possible action on Supervisor Gonzalezs' Planning Code Amendment [File No. 040365], which would delete the requirement that changes in use to a retail coffee store or pharmaceutical and personal toiletries use are subject to the notification and review procedures of Section 312. Presentation by Legislative Aid, Amy Laitinen (DISCUSSION POSSIBLE ACTION ITEM)
5. Review and possible action on Supervisor Alioto-Piers' Charter Amendment [File No. 040641], which would create an Office of Economic Analysis. Presentation by Legislative Aid, Jennifer Entine Matz (DISCUSSION POSSIBLE ACTION ITEM)
6. Review and possible action of Supervisor Alioto-Piers' proposed ordinance [File No. 040592], which would establish a tax exclusion for Bioscience businesses. Presentation by Legislative Aid, Jennifer Entine Matz (DISCUSSION POSSIBLE ACTION ITEM)
7. Presentation on Community Benefits Districts by Gwen Kaplan (DISCUSSION ITEM)
8. Presentation from the Small Business Network (SBN) regarding top priorities for Small Business Commission. Presentation by Clifford Waldeck, President of the SBN (DISCUSSION ITEM)
9. Presentation on Financing for Energy Efficiency by Hank Ryan of the Center for Small Business & the Environment (DISCUSSION ITEM)
10. Request for letter of support for the International Arts Festival, presented by Director Andrew Wood (ACTION ITEM)
11. Review of 2003/2004 Small Business Commission budget by Jesse Blout, Director of Economic & Workforce Development (DISCUSSION ITEM)
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City and County of San Francisco

SMALL BUSINESS COMMISSION

Notice of Meeting & Agenda

For

Monday, June 14, 2004

City Hall, Room 400 @ 5:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

COMMISSIONERS:

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts

Michael E. O'Connor

Dr. Raye Richardson

Jordanna Thigpen

Richard Ventura

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Commission Secretary – Martha Yañez

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City and County of San Francisco



SMALL BUSINESS COMMISSION

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AMENDED* Agenda

JUN 11 2004

(Amended as of Friday, June 11, 2004)

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For

Monday, June 14, 2004 Meeting

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*Please see Item #5 for new item

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Small Business Commission >> Meetings

City and County of San Francisco
Small Business Commission



June 14, 2004 (Draft Minutes)

CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

DRAFT MEETING MINUTES

Monday, June 14, 2004 5:30 PM

Small Business Commissioners

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts, Michael O'Connor, Dr. Raye Richardson, Jordanna Thigpen, Richard Ventura

Commission Secretary - Martha Yanez

Members Absent: None, all present

Call to order:

Item 1 - Roll Call

- The Small Business Commission met on Monday, June 14, 2004 in regular session. The meeting was called to order at 5:50 PM. All the Commissioners were present.

Item 2 - Approval of minutes of the May 10, 2004 Small Business Commission Meeting (Action Item)

Action: Commissioner Alberts made a motion to approve the minutes as submitted. Commissioner Ventura seconded. Unanimous approval from the Commission.

Item 3 - Presentation of Resolution to the Small Business Commission by Speaker

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pro Tempore Leland Yee, CA State Assembly (Discussion Possible Action Item)

Action: Speaker pro Tempore Leland Yee presented the Commission with a Proclamation for being the first Chartered Small Business Commission of it's kind.

Item 4 - Presentation of Proclamation to Roxie Food Center, 12th Assembly District Small Business of the Year by the Small Business Commission (Discussion Possible Action Item)

Action: President Sahagun on behalf of the Small Business Commission presented the Tannous family and Roxie Food Center with a proclamation for their services to the community, and proclaimed June 14th 2004 Roxie Day in San Francisco.

Item 5- Review and possible action on Mayor Newsoms' proposed Business Tax Legislation [File No. 040758] & Transactions and Use Tax Legislation [File No.040751] (Discussion Possible Action Item)

- Jesse Blout of the Mayor's Office of Economic & Workforce Development put these two pieces of legislation into context stating that the City faces a 352 million dollar deficit. He said that the budget office had worked extensively working under the premise that cuts should not be made to direct services. He stated that they came up with this revenue measure which if approved will be on the November ballot. He stated that it would be temporary only lasting 5 years, adding that only 15% of the budget deficit would be balanced by this measure, stating that in no way would the deficit be balanced on the backs of small business. He explained that the proposal is to add a small gross receipts tax and exclude those with less than 500,000 in gross receipts. Furthermore he stated that it closes a loophole which exempts S Corps, Incorporated companies and LLC's, from the gross receipts. And it also credits Biotech companies on payroll tax not gross receipts. The second piece would increase the sales tax by .25%, which he stated only addresses 15% of the structural deficit.
- Norm Ishimoto asked about the 53 million dollar labor givebacks and asked if the City has to give that back later. Jordanna Thigpen asked how they arrived at the \$500,000 figure? Richard Ventura stated that 80% of the Hispanic Chamber of Commerce memberships have less than \$500,000. Dr. Raye Richardson stated that she did not believe that it would go away after 5 years.
- David Heller of the Geary Boulevard Merchants Association stated that he did not think it was a good idea at this time. He said that many businesses are leaving San Francisco as it is right now. Stephen Cornell of the Small Business Advocates stated that he was troubled that key stakeholders were not included in the process of the drafting of this legislation. He stated that some businesses would pay three times such as his business. Leslie Leinhart of the Small Business Advocates stated that they cannot support this legislation. She said it is inappropriate to give any tax breaks to any one industry. She asked why not give tax breaks for new hires instead. She asked that a more fair and equitable way be found to deal with the deficit and asked that the tax be graduated. Rosalie Bulach, owner of Namefinders, a list broker, stated that she has to pay these taxes. She expressed her disapproval of the proposed legislation and asked why she has to pay this and not real estate and insurance brokers, adding that it is because they have lobbyist. Rolf Mueller, owner of a small business on Irving Street stated that he resented the fact that the small

business community was not consulted on this matter. He said that they have been lied to by past administrations and now possibly this one too. He is still hopeful that small business has a voice. Scott Hauge, a small business owner of Cal Insurance stated that as an insurance broker he does have to pay the payroll tax. He stated that the problem with the payroll tax is that it gives no recognition on return on investment. He said it is blatantly unfair. He stated his opposition to the proposed legislations and suggested that they come up with something else, or at the very least cap it.

- Jesse Blout responded stating that they were trying to come up with a reasonable measure that will go before the Board of Supervisors and said that it is important for the Commission to weigh in at the Board meetings. He reiterated that it does close the loophole so that the big companies are no longer exempted.
- Dave Sahagun summarized the concerns expressed by the Commissioners and the public stating that they would like the gross receipts tax to be graduated so that it is not all at once. That it be capped. They would like the difference of revenue be addressed. That it be equitable. Businesses should not be required to pay 3 times. No gross receipts on sales or federal tax. Consideration of exempting businesses that have been paying the payroll tax. That they re evaluate the tax because it has no consideration of profitability. And finally, that the small business community is consulted on these matters and included in the process. He said he would entertain a motion to send it back to the Mayor with these concerns expressed. Jordanna Thigpen stated that the closing of the loopholes should be a separate issue. Scott Hauge stated that he had a problem with there being no cap. He suggested putting a cap on it so that businesses have a chance for return on investment.

Action #1: Commissioner Thigpen made a motion to send the legislation back to the Mayor with the above statements included. Commissioner Alberts seconded. Unanimous approval from the Commission.

Action #2: Commissioner Thigpen made a motion to accept the closing of the loopholes. Commissioner O'Connor seconded. Commissioner Thigpen accepted the suggestion to put a cap on it so that businesses have a chance for return on investment, her motion was so moved. Commissioner Richardson seconded. Unanimous approval from the Commission.

Item 6- Review and possible action on Supervisor Gonzalez's' proposed Planning Code Amendment [File No. 040365] (Discussion Possible Action Item)

- Amy Laitinen, legislative aid to Supervisor Matt Gonzalez, stated that the legislation would delete the requirement that changes in use to a retail coffee store or pharmaceutical and personal toiletries use are subject to the notification and review procedures of Section 312. She stated that While 312 has caught a lot of "chain stores" it has also caught a lot of small businesses. She said that this legislation takes out some changes of use not all, and that it retains "controversial uses" such as those needing discretionary review. She said that it works well with the formula retail legislation. John Paul Samaha, of the Planning Department stated that it was a good balance providing for neighborhood notification, while making it easier for small businesses to get through the process. He stated that some uses have triggered discretionary review, including bars, walk-up facilities, massage and adult entertainment, liquor stores and sidewalk seating among others. He stated that his would only apply to changes of use that are not deemed controversial, adding that it takes away the red tape.

- **Peter Cohen** of Hayes Valley stated that he is glad the Supervisor is doing this. He suggested that the Supervisor continue to work with Small Business Commission on this. **John Wood** of the San Francisco Late Night Coalition stated that the problem for them is that there is no difference between a bar of 49 occupancy and the largest nightclub in San Francisco. **Terrance Allen** President of the Entertainment Commission stated that they granted a woman a permit at Fell and Divisadero for a 49-occupancy space. He stated that he applauded that it is going as far as it is, but said that it is not enough. He said that it must exempt entertainment businesses because the Entertainment Commission already requires 30-day notice. He said that not doing so would make for too much bureaucracy. **Scott Hauge** thanked the Supervisor for bringing this before the Commission. He stated that the legislation is a good first stop. He said that he did not know all about it, but suggested that they reach out to the neighborhoods and find out what they think.
- **Michael O'Connor** stated that he would need more time to decide.
- **John Paul Samaha** explained the timeline for the legislation, stating that it would be heard at the Planning Commission on July 15th.
- **Dave Sahagun** stated that there would be time for this to come back to the Commission on July 12, 2004.

Item 7- Review and possible action on Supervisor Alioto-Piers' proposed Charter Amendment [File No. 040641] (Discussion Possible Action Item)

- **Jennifer Entine Matz** Legislative Aid to Supervisor Aliot-Pier stated that this legislation came about because the Supervisor often felt that she did not know the actual fiscal impact of some pieces of legislation that she had to vote on. The legislation would create an Office of Economic Analysis, which would be charged to do develop an overall economic plan for the City within 12 months. The office would consist of 2 economists, one appointed by the Mayor, the other by the Board of Supervisors w/staff.
- **Norm Ishimoto** stated that he was surprised that economist could not be found in the current city employee roster. He questioned why a whole department would be needed for this task. **Jordanna Thigpen** echoed Norm's sentiments. **Florence Alberts** suggested that an Economic Task Force be created for this purpose. **Dave Sahagun** stated that there is a huge deficit and tons of legislation is being passed that could impact this. He said that this is what the SBC was chartered to do. He asked if it would be possible to house this with the Small Business Commission.
- **Linda Mjellum** of Union Square Association, agreed with Commissioner Sahagun, stating that they could not not afford to have these two positions. She said put them where you may, but the city does not have an economic plan nor a vision and or way to evaluate legislation. She said that her organization would probably support the measure with caveat. **Stephen Cornell** echoed Dave's comments, adding that these people must have teeth and there must be accountability. **Scott Hauge** stated that the City has gone far too long without an economic plan. He said that he would be very concerned that small businesses have proper input on this, adding that the Small Business Commission must be a part of this effort. **My Do** of the Mission Economic Development Association (MEDA) stated her support for the Office of Economic Analysis, stating that it would be good for decision makers to have the information to make informed decisions.
- **Raye Richardson** stated that she supported the legislation because there are issues that come up and sometimes she does not have all the facts. **Michael O'Connor** asked if there would be no overall budget increase in the Board of

Supervisors budget. He also asked when these new positions would be filled? Jordanna Thigpen requested that the legislation add a clause to the current legislation under Section 2.118 Office of Economic Analysis (b) Prior to...the Office of Economic Analysis shall in a timely manner prepare an economic impact report on the subject legislation for the Board of Supervisors, the Mayor, and the Small Business Commission.

Action: Commissioner Raye Richardson made a motion to accept the Charter Amendment with the suggested addition stated above by Commissioner Thigpen. Commissioner Michael O'Connor seconded. Unanimous approval from the Commission.

Item 8 - Review and possible action of Supervisor Alioto-Piers' proposed Ordinance [File No. 040592] (Discussion Possible Action Item)

- Jennifer Entine Matz stated that this legislation would establish a tax exclusion for Bioscience businesses and that it is part of the Mayor's Budget proposal.
- Norm Ishimoto stated that he wanted to support this but asked what about excluding a couple other industries. Dave Sahaguh suggested starting reducing the taxes of those businesses that have paid taxes for 20 plus years and eventually do away with the payroll tax altogether. Michael O'Connor stated that he it is too late to turn back now. He said that the City dedicated a whole section of the city for this industry and if the City doesn't welcome them now, they will go elsewhere. He stated that he was in favor of it because the City has already invested so much for this industry. Raye Richardson asked if San Francisco is now also trying to attract businesses rather than simply being a tourist destination? Richard Ventura stated that the City should be trying to attract and retain businesses as well as job creation.

Action: Commissioner Norm Ishimoto stated that he would support the legislation with caveat that 1). The exclusion should not be limited to biotech but rather to any new job created, 2). Any contracting opportunity be given to San Francisco businesses. Commissioner Michael O'Connor seconded.

Vote: All Commissioners except Michael O'Connor voted in favor of the motion.

Item 9 - Presentation on Community Benefits Districts

- This Item was tabled until further notice.

Item 10 - Presentation from the Small Business Network (SBN) regarding top priorities for Small Business Commission. Presentation by Clifford Waldeck, President of the SBN (DISCUSSION ITEM)

- Clifford Waldeck, President of the Small Business Network talked about the top priorities, including:

1. Taxes and Fees

2. Procurement Process
3. Economic development
4. Parking Issues
5. Quality of Life

He also stated that the SBN is ready and willing to help the SBC, adding that they represent 17 organization and they will be celebrating their 20th anniversary on the 29th.

Item 11 - Presentation on Financing for Energy Efficiency

- Hank Ryan of the Center for Small Business & the Environment talked about financing for energy efficiency stating that there are opportunities available for small businesses. Scott Hauge stated that they need support to move this forward, adding that they need to have someone to work with the CAPUC. H said it is a valuable resource for small businesses.
- Dave Sahagun stated that he would like to put this on the agenda for July as an action item.

Item 12 - Request for Letter of Support for the International Arts Festival

Action: Commissioner Thigpen moved to support this effort. Commissioner Raye Richardson seconded. Unanimous approval from the Commission.

Item 13 - Review of 2003/2004 Small Business Commission budget by Jesse Blout, Director of Economic & Workforce Development (DISCUSSION ITEM)

- This Item was tabled to the next meeting in July.

Item 14 - Establishment of standing committees and committee assignments. Presented by President Dave Sahagun (ACTION ITEM)

Action: Commissioner Sahagun established standing committee as follows:

Budget: Raye Richardson, Chair; Florence Alberts; Norman Ishimoto

Legislation: Richard Ventura, Chair; Jordanna Thigpen; Michael O'Connor

Community Outreach: Florence Alberts, Chair; Jordanna Thigpen; Richard Ventura

Item 15 - Report by Norm Ishimoto, Chair of the Search Committee regarding the search for an Executive Director (DISCUSSION ITEM)

- Norman Ishimoto reported that the Commission had received more than 2

dozen applications for the Executive Director position. He stated that the Search committee had extended the closing date to July 1st. The next step would be to set up interview and rank procedures. He reported that he hoped to have 3 names for the full Commission in early July. He also reported that the Search Committee had decided against assigning a temporary executive director.

Item 16 - President's Report -allows president to report on recent small business activities and make announcements (DISCUSSION ITEM)

- None at this time

Item 17 - New Business -allows the Commissioners to introduce new agenda items for future consideration (DISCUSSION ITEM)

- Jordanna Thigpen introduced 2 items including "Green Certificate" Program, which would award businesses that are doing good for the environment, and second, for the Commission to look at streamlining the process for a Farmers Market permit. She stated that they had to get 7 different permits for the Marina's Farmer's Market.
- Michael O'Connor requested that the Commission look at working with developers to encourage them to cut up spaces to allow for smaller spaces so that smaller businesses may take advantage of them.

Item 18 - General Public Comment -allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration

- Scott Hauge suggested that the Commission look in it's archives for information on the "Green Ribbon Committee", which did something similar to what Commissioner Jordanna Thigpen is proposing.

Item 19 - Adjournment (ACTION ITEM)

Action: Commissioner Raye Richardson motioned to adjourn. Commissioner Jordanna Thigpen seconded. Unanimous approval from the Commission. The meeting was adjourned at 9:30 PM.





City and County of San Francisco



SMALL BUSINESS COMMISSION

Notice of Meeting & Agenda

For

Monday, July 12, 2004 Meeting

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City Hall, Room 400 @ 5:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

COMMISSIONERS:

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts

Michael E. O'Connor

Dr. Raye Richardson

Jordanna Thigpen

Richard Ventura

Commission Secretary – Martha Yañez

1. Roll Call for the July 12, 2004 meeting of the Small Business Commission
2. Approval of minutes of the June 14, 2004 Small Business Commission meeting (ACTION ITEM)
3. General Public Comment –allows members of the public to comment generally on matters within the Commission’s purview, as well as to suggest new agenda items for the Commission’s future consideration (DISCUSSION POSSIBLE ACTION ITEM)
4. Review and possible action on Mayor Newsoms’ proposed Business Tax Legislation [File No. 040758], which would impose a business tax for five years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%), & Transactions and Use Tax Legislation [File No.040751], which would impose an additional transactions and use tax at the rate of one-quarter of one percent (0.25%) or 8.75% sales tax. Presentation by Ben Rosenfield, Mayor’s Budget Office of staff (DISCUSSION POSSIBLE ACTION ITEM)
5. Review and possible action on Supervisor Gonzalezs’ proposed Planning Code Amendment [File No. 040365], which would delete the requirement that changes in use to a retail coffee store or pharmaceutical and personal toiletries use are subject to the notification and review procedures of Section 312. Presentation by Legislative Aid, Amy Laitinen (DISCUSSION POSSIBLE ACTION ITEM)
6. Presentation on the Buy Local Campaign. Presentation by Don Shafer. (DISCUSSION POSSIBLE ACTION ITEM)
7. Presentation on Community Benefits Districts by Gwen Kaplan (DISCUSSION POSSIBLE ACTION ITEM)
8. Presentation on Tax Credits. Presentation by Lucia Hughes, Business Services Manager for the Private Industry Council (DISCUSSION POSSIBLE ACTION ITEM)
9. Presentation on UCSF’s Community Partnerships Program and UCSF’s vendor fair this summer. Presentation by Lisa Gray, UCSF’s Community Partnerships Coordinator (ACTION ITEM)
10. Presentation on Financing for Energy Efficiency by Hank Ryan of the Center for Small Business & the Environment and request for letter of support from the Small Business Commission (ACTION ITEM)
11. Vote to send letter of thanks to Congresswoman Nancy Pelosi for her efforts to restore funding to the 7(a) program of the Small Business Administration, and to thank Scott Hauge and Barbara Kasoff, who personally represented SF small business owners at Melissa Shannon’s organizing event in Washington (DISCUSSION POSSIBLE ACTION ITEM)
12. Report by Norm Ishimoto, Chair of the Search Committee regarding the search for an Executive Director (DISCUSSION POSSIBLE ACTION ITEM)
13. Report by Richard Ventura, Chair of the Legislation Committee regarding the Legislation & Policy Committee (DISCUSSION POSSIBLE ACTION ITEM)
14. Report by Florence Alberts, Chair of the Community Outreach Committee regarding the Community Outreach Committee (DISCUSSION POSSIBLE ACTION ITEM)
15. President’s Report –allows president to report on recent small business activities and make announcements (DISCUSSION POSSIBLE ACTION ITEM)
16. New Business –allows the Commissioners to introduce new agenda items for future consideration (DISCUSSION POSSIBLE ACTION ITEM)
17. Adjournment (ACTION ITEM)

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1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
Office: (415) 554-7724
Fax: (415) 554-5163

E-Mail: Donna.Hall@sfgov.org

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City and County of San Francisco

SMALL BUSINESS COMMISSION

Notice of AMENDED* Agenda For

Monday, July 12, 2004 Meeting

City Hall, Room 400 @ 5:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

COMMISSIONERS:

David Sahagun, President
Norman Ishimoto, Vice President
Florence Alberts
Michael E. O'Connor
Dr. Raye Richardson
Jordanna Thigpen
Richard Ventura

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Commission Secretary – Martha Yañez

*Amended as of Friday, July 09, 2004 2PM. Please see Items 11, 13 & 14 for NEW Items.

1. Roll Call for the July 12, 2004 meeting of the Small Business Commission
2. Approval of minutes of the June 14, 2004 Small Business Commission meeting (ACTION ITEM)
3. General Public Comment—allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (DISCUSSION POSSIBLE ACTION ITEM)
4. Review and possible action on Mayor Newsoms' proposed Business Tax Legislation [File No. 040758], which would impose a business tax for five years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%), & Transactions and Use Tax Legislation [File No.040751], which would impose an additional transactions and use tax at the rate of one-quarter of one percent (0.25%) or 8.75% sales tax. Presentation by Ben Rosenfield, Mayor's Budget Office of staff (DISCUSSION POSSIBLE ACTION ITEM)
5. Review and possible action on Supervisor Gonzalezs' proposed Planning Code Amendment [File No. 040365], which would delete the requirement that changes in use to a retail coffee store or pharmaceutical and personal toiletries use are subject to the notification and review procedures of Section 312. Presentation by Amy Laitinen & Jean-Paul Samaha (DISCUSSION POSSIBLE ACTION ITEM)
6. Presentation on the Buy Local Campaign. Presentation by Don Shafer. (DISCUSSION POSSIBLE ACTION ITEM)
7. Presentation on Community Benefits Districts by Gwen Kaplan (DISCUSSION POSSIBLE ACTION ITEM)
8. Presentation on Tax Credits. Presentation by Lucia Hughes, Business Services Manager for the Private Industry Council (DISCUSSION POSSIBLE ACTION ITEM)
9. Presentation on UCSF's Community Partnerships Program and UCSF's vendor fair this summer. Presentation by Lisa Gray, UCSF's Community Partnerships Coordinator (ACTION ITEM)
10. Presentation on Financing for Energy Efficiency by Hank Ryan of the Center for Small Business & the Environment and request for letter of support from the Small Business Commission (ACTION ITEM)
11. Presentation and Discussion for the Small Business Commission to Endorse Increased Home Ownership Rates for San Francisco. Presentation by Sarosh Kumana. (DISCUSSION POSSIBLE ACTION ITEM)
12. Vote to send letter of thanks to Congresswoman Nancy Pelosi for her efforts to restore funding to the 7(a) program of the Small Business Administration, and to thank Scott Hauge and Barbara Kasoff, who personally represented SF small business owners at Melissa Shannon's organizing event in Washington (DISCUSSION POSSIBLE ACTION ITEM)
13. Discussion on the Definition of Small Business and How To Define It for SBC Purposes (DISCUSSION POSSIBLE ACTION ITEM)
14. Vote to send congratulatory letter to the Friends of the Urban Forest on their recent grant to plant trees in underserved communities, and encourage them to include merchant corridors in their tree planting plans.
15. Report by Norm Ishimoto, Chair of the Search Committee regarding the search for an Executive Director (DISCUSSION POSSIBLE ACTION ITEM)
16. Report by Richard Ventura, Chair of the Legislation Committee regarding the Legislation & Policy Committee (DISCUSSION POSSIBLE ACTION ITEM)
17. Report by Florence Alberts, Chair of the Community Outreach Committee regarding the Community Outreach Committee (DISCUSSION POSSIBLE ACTION ITEM)
18. President's Report—allows president to report on recent small business activities and make announcements (DISCUSSION POSSIBLE ACTION ITEM)
19. New Business—allows the Commissioners to introduce new agenda items for future consideration (DISCUSSION POSSIBLE ACTION ITEM)
20. Adjournment (ACTION ITEM)

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Small Business Commission >> Meetings

City and County of San Francisco
Small Business Commission



July 12, 2004 (Draft Minutes)

CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

DRAFT MEETING MINUTES

Monday, July 12, 2004 5:30 PM

Small Business Commissioners

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts, Michael O'Connor, Dr. Raye Richardson, Jordanna Thigpen, Richard Ventura

Commission Secretary - Martha Yañez

Members Absent: None, all present

Call to order:

Item 1 - Roll Call

- The Small Business Commission met on Monday, June 14, 2004 in regular session. The meeting was called to order at 5:37 PM. All the Commissioners were present.

Item 2 - Approval of minutes of the June 14, 2004 Small Business Commission Meeting (Action Item)

Action: The Item was tabled for the next meeting.

Item 3 - General Public Comment (Discussion Item)

- Bruce Bonacker, a member of the public, suggested that the Small Business Commission involve itself in planning to prepare for a big earthquake. He said it is important for small businesses to be prepared and have a plan of action so that when the big one hits, they can compete with big business. Commissioner Sahagun suggested that the item be calendared for a future agenda.

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Item 4- Review and possible action on Mayor Newsoms' proposed Business Tax Legislation [File No. 040758] & Transactions and Use Tax Legislation [File No.040751] (Discussion Possible Action Item)

- Ben Rosenfield, Budget Director for the Mayor's Office, explained the proposed legislation stating that the proposed tax increases equal to about 8% of the total budget. He said that this would close the loophole of the LLC's and LLP's, which he said is currently a definitional problem that will be addressed by this. He said it would offer a targeted tax credit for biotech companies in that it exempts these companies from the gross receipts. He stated that small businesses with gross receipts of 500,000 and under are also exempted. He stated that the proposed .25% increase in the transactions and use tax would add 25 million dollars in revenue and said that it is an important component because it equals roughly what the city spends on cleaning it's streets. He went on to state that there are currently two other proposals being reviewed by the Board of Supervisors for a total of three. He explained that one of them would impose a business tax for four years at a rate of one-hundredths of one percent (0.15%), and the other would impose a permanent business tax at the rate of one tenth of one percent (0.1%).
- Commissioners expressed their concerns with the proposed legislation, including the lack of small business input, the minimal labor givebacks, and the unlikelihood of the sunset clause. They stated that the proposed legislation is a tax on small business and *will* impact many small businesses. Furthermore they said that some businesses would potentially be forced to pay both the payroll and gross receipts tax plus rent increases from landlords due to pass through of the gross receipts tax. They stated that businesses should not be required to pay 3 (three) times. Furthermore they said that if the City wants to retain and attract businesses in San Francisco, increasing taxes is not the way to do it. They believe businesses are moving out of the city because of the increased burdens placed on small businesses.
- Scott Hauge, owner of Cal Insurance, a small business, stated that a 10% increase in the payroll tax would generate the 25-30 million dollars that the sales tax proposes to generate. He encouraged the commission to request the Mayor and the Board of Supervisors to institute the payroll tax instead of the gross receipts tax. Stephen Cornell, owner of Brownies Hardware, stated that the city used to do more with less looking back 30 years. He said that as a result businesses that can have voted with their feet and left the city.

Action #1: Commissioner Thigpen made a motion to oppose the Mayor's proposed Business Tax Legislation (File No. 040758) as proposed and instead to replace the gross receipts tax with a temporary increase of the payroll tax to 1.65%. Commissioner Ventura seconded. The motion was passed with 6 votes in favor of the motion. One member abstained.

Action #2: Commissioner Ventura made a motion to oppose Supervisor Daly's proposed Business Tax Legislation (File No. 040978) that would impose a business tax for four years at a rate of one-hundredths of one percent (0.15%). Commissioner Thigpen seconded. Unanimous approved from the Commission.

Action #3: Commissioner Ventura made a motion to oppose Supervisor Ammiano's proposed Business Tax Legislation (File No. 040979) that would impose a permanent business tax at the rate of one tenth of one percent (0.1%). Commissioner Thigpen seconded. Unanimous approved from the Commission.

Item 5- Review and possible action on Supervisor Gonzalez's' proposed Planning Code Amendment [File No. 040365] (Discussion Possible Action Item)

- The Small Business Commission initially heard Supervisor Matt Gonzalez's proposed Planning Code Amendment [File No. 040365], on June 14, 2004 and again on July 12, 2004. At this time, the commission was told that some suggestions had been made and were being considered for the final draft, including that the notices be on color paper, and that they be posted on the Planning Department's website. The commission liked these suggestions and added one more, including that there be a fax number on the notices, so that if someone could not make the hearing, but wanted to state their position, they could fax in a statement. The commission also requested that there be a clause in it to state a specific date that the notifications would be available on the website to view and that it be done in a timely manner.

Action: Commissioner Thigpen made a motion to support the proposed changes to the Planning Code Amendment (File No. 040365) as stated from the discussion above. Commissioner O'Connor seconded. Unanimous approval from the Commission.

Item 6-Presentation on the Buy Local Campaign. (Discussion Possible Action)

- Don Shafer, a small business owner and member of Local Exchange, a non profit, informed the commission of their proposed Buy Local Campaign, in which they hope to collaborate with several District Merchants Associations to sponsor a Buy Local campaign to benefit independent, locally-owned retailers in San Francisco. He stated that their overarching goal is to help local retailers increase their sales in the critical holiday shopping period between Thanksgiving and Christmas. The plan is to organize Buy Local Thursdays in two districts in September, four districts in October, and six districts in November, followed by a Buy Local Month in December citywide. Local Exchange will coordinate the public awareness campaign with PR, posters, etc., and will create a customized Buy Local plan with each participating District Merchants Association. He stated he met with the San Francisco Council of District Merchants Associations and with Commission President David Sahagan, adding that both are supportive of this initiative. He stated that he met with Darolyn Davis of Davis and Associates who helped the Commission launch their "Shop Outside the Box" campaign last year. He said that they would continue to meet and find ways to work together on what seems to be a very similar campaign. Darolyn Davis briefed the Commission on last years "Shop Outside the Box" campaign since the commissioners are all new and were not familiar with the campaign. Both Don and Darolyn agreed to meet and come back to the Commission with a plan.

Item 7 - Presentation on Community Benefits Districts by Gwen Kaplan (Discussion Possible Action Item)

- Gwen Kaplan stated that the Small Business Commission that was in place prior to the current commission started Community Benefits Districts. She said that there was an interest in starting CBD's after it was learned that San Francisco only had one CBD, that being the Union Square BID, and that was State enabled. She said that as a result, the Small Business Commission recommended that San Francisco look into creating more BID's. From this she reported that there is now a stakeholder's instruction kit that will be made available to individuals that are interested in creating BID's in their neighborhoods. She was happy to report that her neighborhood is in the progress of creating it's CBD, and said that other neighborhoods such as the Tenderloin, Lower Polk, Mission Street, Fisherman's Wharf and the Castro all seem to be interested. She was excited about the benefits that CBD's provide, and said that in the Northeast Mission they opted for clean & safe, which will

cost her roughly \$800 per year, which she believes is a good investment.

Action: Commissioner Ventura made a motion to support CBD's. Commissioner Alberts seconded. Unanimous approval from the Commission.

Item 8 - Presentation on Tax Credits. Presentation by Lucia Hughes, Business Services Manager for the Private Industry Council

- Lucia Hughes of the Private Industry Council informed the Commissioners of some of the services of the Private Industry Council, including the hiring tax credits and their job training services.

Item 9 - Presentation on UCSF's Community Partnerships Program and UCSF's vendor fair this summer. Presentation by Lisa Gray, UCSF's Community Partnerships Coordinator (DISCUSSION ITEM)

- Lisa Gray, of UCSF, informed the Commission of their Community Partnerships Program and summer vendor fair. She said that it was three fold, including informing the community how to do business with UCSF, access to purchasers and mentors, and marketing with in UCSF through their "Buy Local" campaign. She requested the Commissions support in terms of sponsorship and getting the word out, specifically to the southeast sector of the city. She announced an event on July 22nd to which 20 businesses had been invited.

Action: Commissioner Alberts made a motion to support UCSF's efforts and to assign Commissioner Ventura to work with UCSF on this. Commissioner Richardson seconded. Unanimous approval from the Commission.

Item 10- Presentation on Financing for Energy Efficiency (ACTION ITEM)

- Scott Hauge spoke on behalf of Hank Ryan and the Center for Small Business & the Environment in Washington talked about the program, stating that it would provide free audits and pay a percentage of the cost for eligible retrofit work. In addition On Bill Financing combines both the financing costs and the energy savings into the small business owner's monthly utility bill, so the business owner does not have to worry about paying two separate bills. Even more important is that the energy savings pay the financing costs so the monthly utility bill is no higher than it was before. When the loan is paid off the small business owner's utility bill is significantly lower. H said it is a valuable resource for small businesses.

Action: Commissioner Ishimoto made a motion to support On Bill Financing. Commissioner Alberts seconded. Unanimous approval from the Commission.

Item 11 - Presentation and Discussion for the Small Business Commission to Endorse Increased Home Ownership Rates for San Francisco. Presentation by Sarosh Kumana (Discussion possible Action Item)

- Sarosh Kumana explained the proposed resolution and asked the Commission to support it.

Action: Commissioner Ishimoto moved to support the proposed resolution. Commissioner Sahagun seconded. Unanimous approval from the Commission.

Item 12 - Vote to send letter of thanks to Congresswoman Nancy Pelosi for her

efforts to restore funding to the 7(a) program of the Small Business Administration, and to thank Scott Hauge and Barbara Kasoff, who personally represented SF small business owners at Melissa Shannon's organizing event in Washington (Action Item)

Action: Commissioner Ishimoto made a motion send a letter to Congresswoman Nancy Pelosi thanking her for her efforts to restore funding to the 7(a) program of the Small Business Administration, and to thank Scott Hauge for his efforts as well. Commissioner Alberts seconded. Unanimous approval from the Commission.

Item 13 - Discussion on the Definition of Small Business and How To Define It for SBC Purposes (ACTION ITEM)

- This Item was tabled.

Item 14 - Vote to send congratulatory letter to the Friends of the Urban Forest on their recent grant to plant trees in underserved communities, and encourage them to include merchant corridors in their tree planting plans (ACTION ITEM)

Action #1: Commissioner Alberts made a motion to send a letter to the Friends of the Urban Forest on their recent grant to plant trees in underserved communities, and encourage them to include merchant corridors in their tree planting plans. Commissioner Richardson seconded. Unanimous approval from the Commission.

Action #2: Commissioner Sahagun made a motion to send a letter to DPW and request that they maintain the trees that will be planted by the Friends of the Urban Forest per their grant mentioned above and that DPW repair the sidewalk as needed at the City's expense. Commissioner Ishimoto seconded. Unanimous approval from the Commission.

Item 15 - Report by Norm Ishimoto, Chair of the Search Committee regarding the search for an Executive Director (DISCUSSION POSSIBLE ACTION ITEM)

- Commissioner Ishimoto explained that the Committee had solicited applications and had been meeting to review those applications and resumes. He reported that the Committee had met earlier and decided on the candidates that would be invited for interview, which he said they hoped to schedule for the following week.

Item 16 - Report by Richard Ventura, Chair of the Legislation Committee regarding the Legislation & Policy Committee (DISCUSSION POSSIBLE ACTION ITEM)

- Commissioner Ventura, Chair of the Legislation and Policy Committee stated that they had got off to a good start, he asked Commissioner Thigpen to read the mission statement. He reported that each member of the Committee had been assigned to a member of the Board of Supervisors as well as various City Department. He read the assignments and said that they would be meeting with these folks in the next couple months.
- Commissioner Thigpen, a member of the Legislation and Policy Committee read the committees mission statement.

Item 17 - Report by Florence Alberts, Chair of the Community Outreach Committee regarding the Community Outreach Committee (DISCUSSION POSSIBLE ACTION ITEM)

- Commissioner Alberts, Chair of the Community Outreach Committee

reported that the members of her committee had also assigned themselves to various organizations, most of which they already belong to in one form or another. She requested that the president write a letter to these organizations to inform them of the new committees and to say that there is now a liaison from this committee and the SBC assigned to them, and to ask that they contact this person as needed. She also reported that the committee will be putting together a master calendar of events and suggested that we ask the organization to tell us about their events.

Item 18 - President's Report -allows president to report on recent small business activities and make announcements (DISCUSSION POSSIBLE ACTION ITEM)

- Commissioner Sahagun thanked the committees for their work and said he looked forward to more reports and for the Commission to be more proactive.

Item 19 - New Business -allows the Commissioners to introduce new agenda items for future consideration (DISCUSSION POSSIBLE ACTION ITEM)

- Commissioner Richardson requested to get a copies of all city departments policy with respect to their awarding of contracts, as well as a copy of the San Francisco Charter.

Item 20 - Adjournment (ACTION ITEM)

Action: Commissioner Thigpen motioned to adjourn. Commissioner Richardson seconded. Unanimous approval from the Commission. The meeting was adjourned at 8:30 PM.



City and County of San Francisco



SMALL BUSINESS COMMISSION

Notice of Meeting & Agenda

For

Monday, August 9, 2004 Meeting

City Hall, Room 400 @ 5:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

COMMISSIONERS:

David Sahagun, President
Norman Ishimoto, Vice President
Florence Alberts
Michael E. O'Connor
Dr. Raye Richardson
Jordanna Thigpen
Richard Ventura

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Commission Secretary – Martha Yañez

1. Roll Call for the August 9, 2004 meeting of the Small Business Commission
2. Approval of the June 14 and July 12, 2004 Small Business Commission meeting minutes (ACTION ITEM)
3. General Public Comment--allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (DISCUSSION POSSIBLE ACTION ITEM)
4. Review, discussion and possible action on the proposed DBE Emergency Ordinance that would amend the San Francisco Administrative Code by adding Chapter 14A to establish a Disadvantaged Business Enterprise Program and suspend Chapter 12D.A; adopting declaration of emergency; making applicable certain emergency contracting procedures; and providing for data collection to ensure nondiscrimination in City contracting. Presentation by Supervisor Ammiano's office and the Mayor's office. (DISCUSSION POSSIBLE ACTION ITEM)
5. Report by Richard Ventura, Chair of the Legislation Committee regarding the Legislation & Policy Committee (DISCUSSION POSSIBLE ACTION ITEM)
6. Review, discussion and possible action on File: 040901, Hearing to consider a proposed ordinance that would reform the taxi industry by repealing Prop K, municipalizing the process of issuing medallions by making the City owner of said medallions while issuing transferability rights of these same permits to taxi drivers, giving qualified drivers the option to buy such permits as currently practiced in other cities, giving older and disabled taxi drivers an exit strategy to leave the industry with health and retirement benefits and dedicating a percentage of funds raised by the transfer of such permits to health services and down payment assistance for purchase of such permits by taxi drivers. (DISCUSSION POSSIBLE ACTION ITEM)
7. Review, discussion and possible action on Files: 040947, 041053, 041052, Resolutions exacting temporary street closures to vehicular traffic on Steiner Street between Lombard and Chestnut Streets (DISCUSSION POSSIBLE ACTION ITEM)
8. Discussion on the Definition of Small Business and How To Define It for SBC Purposes (DISCUSSION POSSIBLE ACTION ITEM)
9. Update on Community Benefits Districts by Rich Hillis. (DISCUSSION POSSIBLE ACTION ITEM)
10. Report by Norm Ishimoto, Chair of the Search Committee regarding the search for an Executive Director (DISCUSSION POSSIBLE ACTION ITEM)
11. Report by Florence Alberts, Chair of the Community Outreach Committee regarding the Community Outreach Committee (DISCUSSION POSSIBLE ACTION ITEM)
12. President's Report--allows president to report on recent small business activities and make announcements (DISCUSSION POSSIBLE ACTION ITEM)
13. New Business--allows the Commissioners to introduce new agenda items for future consideration (DISCUSSION POSSIBLE ACTION ITEM)
14. Public Comment on all matters pertaining to the closed session.
15. Closed session held pursuant to Government Code Section 54957 and San Francisco Administrative Code Section 67.10(b):

PUBLIC EMPLOYEE APPOINTMENT/HIRING [TITLE: Executive Director]

(Presentation to the full Commission of the names of the qualified candidates for the Executive Director position. Vote to recommend the candidates to the Mayor) (ACTION ITEM)

16. Reconvene in open session
 17. Vote to elect whether to disclose any or all discussions held in closed sessions. (San Francisco Administrative Code Section 67.12 (a). (ACTION ITEM)
 18. Adjournment (ACTION ITEM)
- Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item. Explanatory Documents: Copies of proposed legislation listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 436. Please call Martha Yanez (415) 554-6134 to make arrangements for pick up or review.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that city operations are open for the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083. To obtain a free copy of the Sunshine Ordinance contact:

Donna Hall, Administrator
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
Office: (415) 554-7724
Fax: (415) 554-5163
E-Mail: Donna.Hall@sfgov.org

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org.

Cell Phone and/or Sound-Producing Electronic Device Usage at Hearings

Effective January 21, 2001, the Board of Supervisors amended the Sunshine Ordinance by adding the following provision: The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Disability Access Policy

Accessible seating for persons with disabilities (including those using wheelchairs) is available. The closest accessible BART Station is the Civic Center station located at the intersection of Market, Hyde and Grove Streets. Accessible MUNI lines serving the Veterans Building are 42 Downtown Loop and the #71 Haight/Noriega and the F line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services call 923-6142. Accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex. American Sign Language interpreters and/or a sound enhancement system will be available upon request by contacting Milton Edelin at 558-6410 at least 72 hours prior to a hearing. Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-8925 to discuss meeting accessibility. In order to assist the city's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the city to accommodate these individuals.

Translation Services

Interpreters for languages other than English are available on request. Sign language interpreters are also available on request. For other accommodation, please call the Department of Human Services staff support representative at 557-5989 at least two business days before a meeting.

Lobbyist Ordinance

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by San Francisco Lobbyist Ordinance [Article II of the San Francisco Campaign and Governmental Conduct Code] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 30 Van Ness Ave., Suite 3900, SF 94102 (415) 581-2300, FAX (415) 581-2317 and web site address at <http://www.sfgov.org/ethics/>.

Chemical Sensitivity

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical base products. Please help the City accommodate these individuals.



Small Business Commission >> Meetings

City and County of San Francisco
Small Business Commission



August 09, 2004 (Regular)

CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

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DRAFT MEETING MINUTES

DEC 14 2004

Monday, August 9, 2004 5:30 PM

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____ Small Business Commissioners ____

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts, Michael O'Connor, Dr. Raye Richardson, Jordanna Thigpen, Richard Ventura

Commission Secretary - Martha Yañez

Members Absent: Michael O'Connor, Jordanna Thigpen

Call to order:

Item 1 - Roll Call

- The Small Business Commission met on Monday, August 9, 2004 in regular session. The meeting was called to order at 5:37 PM. All the Commissioners were present.

Item 2 - Approval of minutes of the June 14 and July 12, 2004 SBC Meetings (Action Item)

Action: Commissioner Richardson made a motion to approve the June minutes as amended by Commission Ishimoto. Commissioner Ventura seconded. Unanimous approval from the Commission. Commissioner Ishimoto made a motion to approve the July minutes as submitted. Commissioner Richardson seconded. Unanimous approval from the Commission.

Item 3 - General Public Comment (Discussion Item)

- None.

Item 4- Review, discussion and possible action on the proposed DBE Emergency Ordinance that would amend the San Francisco Administrative Code by adding Chapter 14A to establish a Disadvantaged Business Enterprise Program and suspend Chapter 12D.A; adopting declaration of emergency; making applicable certain emergency contracting procedures; and providing for data collection to ensure nondiscrimination in City contracting. Presentation by Supervisor Ammiano's office and the Mayor's office (Discussion Possible Action Item)

- Commissioner Ishimoto asked what involvement the Commission would have in helping to draft the legislation? Rich Hillis of the Mayor's Office suggested that the Commission might want to request to review drafts of the legislation in order to ask question and provide input. Commissioner Ishimoto asked if anyone could get involved in the actual drafting of the legislation. He read into the record comments he had prepared. Commissioner Sahagun suggested that Norm be the Commission representative on any body drafting the legislation. Cliff Waldeck, a member of the public and President of the Small Business Network stated that he was heartened by the Mayor's press release talking about the 14A legislation coming out because it will LBE's the same status as MBE and WBE's. He gave an example of why the Small Business Commission is so important, stating that he wanted to do some homework on this as it came out so he said he called both the Mayor's Press Office and Ammiano's office and got nothing. He said he was glad the Commissioner Ishimoto is stepping up to the plate and said that he agreed with his comments. He said that his impression of the prime contractors in San Francisco is that they are encouraged to use LBE's for services but not for goods. He said he wants to make sure that the LBE requirement for the prime contractors includes both goods and services. He said he would hate to see 2 billion dollars spent on Hetch Hetchy and not one piece of pipe bought in San Francisco. He said he was glad to see this come to the forefront and he offered his assistance. Commissioner Sahagun asked Rich Hillis to tell the Mayor's Office that the Small Business Commission would like to be involved in the drafting the legislation. Rich Hillis agreed. Enrique Ramirez, President of San Francisco La Raza Lawyers Association presented a statement to the Commissioner from La Raza Lawyers in response to the DBE Ordinance.

Item 5- Report by Richard Ventura, Chair of the Legislation Committee regarding the Legislation & Policy Committee (Discussion Possible Action Item)

- Commissioner Ventura reported on Frog Design, a company in San Francisco that is requiring some attention. He stated that they are complaining about parking issues and said that they will review this at the next meeting of the Legislation and Policy Committee along with someone from DPT to see if there is something that could be done to address their issues. Commission Sahagun stated that this seems like part of a bigger issue and asked if the committee felt that DPT should address this at a full commission hearing? Commissioner Ventura replied stating that they would consider it first and depending on that hearing decide to recommend it to the full commission.

Item 6-Review, discussion and possible action on File: 040901, Hearing to consider a proposed ordinance that would reform the taxi industry by repealing Prop K, municipalizing the process of issuing medallions by making the City owner of said medallions while issuing transferability rights of these same permits to taxi drivers, giving qualified drivers the option to buy such permits as currently practiced in other cities, giving older and disabled taxi drivers an exit strategy to leave the industry with health and retirement benefits and dedicating a

percentage of funds raised by the transfer of such permits to health services and down payment assistance for purchase of such permits by taxi drivers.
(DISCUSSION POSSIBLE ACTION ITEM)

- Commissioner Ventura stated that the Legislation Committee discussed this item at their last meeting and stated that currently people who have the medallions could pass them on to other people and really hold them, but said that they felt that it would offer an exit strategy and even a way for someone to earn additional income by selling the medallion, as opposed to a medallion being held and someone owning it until they pass away. He stated that they decided to recommend support for the legislation. Commissioner Richardson stated that she had some real problems with this, stating that the taxi drivers are independent entrepreneurs? She asked if the legislation is passed, do they then become employees of the City? Commissioner Ventura assured her that they do not, stating that they are still independent contractors, adding that it's just the medallion itself that is like a business license, but it is something that could be resold and passed to others as opposed to the individual keeping it the entire time. Commissioner Richardson asked about the health part of the legislation, asking if they could transfer their health benefits to the new owner of the medallion? Commissioner Ventura stated that he was not sure. Commissioner Sahugn recommended that Supervisor Gonzalez's office come and address these questions at a future meeting. Commissioner Ventura asked if the Commission could submit the question to Supervisor Gonzalez's office. Commissioner Sahugn agreed that it would be a good idea and asked if there were more questions. Commissioner Richardson asked if this legislation, which would municipalize the selling of these medallions, would this create a new department or new bureaucracy, or would this fall under an existing bureaucracy. Rich Hillis replied stating that it would fall under the Taxicab Commission that is currently in existence, adding that instead of giving the medallions there is a waiting list currently where the city just grants the medallions to the next person on the waiting list, with this they would actually just sell the medallion. David Sahugn stated that it would be treated like a liquor license, adding that the value could go up or down depending on demand and supply.

Item 7 - Review, discussion and possible action on Files: 040947, 041053, 041052, Resolutions exacting temporary street closures to vehicular traffic on Steiner Street between Lombard and Chestnut Streets (DISCUSSION POSSIBLE ACTION ITEM)

- Rob Black of Supervisor Alioto-Pier's office, representing the district where the Steiner street closure takes place, provided some back ground information on the market, stating that it came about when the Marina Merchants Association in submitted a request to ISCOTT for a temporary street closure on Steiner Street between Lombard and Chestnut. He stated that the street closure would occur between 1:30-8PM once a week on Tuesdays, providing for a market from 3-7PM. ISCOTT originally granted a 4-week trial period so that they could analyze the effects on traffic etc. ISCOTT then reconvened after 3 meetings, at which point it was believed that there were no significant traffic or parking problems. However, there were concerns from both residents and merchants, specifically that the market was negatively impacting their and their customer's access to the street. With that, ISCOTT granted another permit lasting until August 17th, saying that it was beyond their scope to provide for such a long period of time (the original request was for it to run to the end of October). It was then referred to the Board of Supervisors because ISCOTT is not in the business of doing that long of term of street closure. Supervisor Alioto-Pier picked up the legislation and hearings were held and input solicited. He stated that they visited all of the restaurants on Steiner on

two separate occasions and held meetings in their office with the various stakeholders trying to work out issues and solutions that could benefit all. He reported that reached a compromise, that being that the market would be shortened to the end of September, they limited the hours, running until 6PM rather than 7PM, so the street will reopen at 7PM as opposed to 8PM, and they changed the configuration of the market, so that the tents are now back to back and customers walk in front of the businesses instead of on the inside away from the businesses. She stated that Board of Supervisors would vote to continue the market to the end of September on the 17th of August. Commissioner Richardson asked what additional parking is anticipated? Rob Black replied stating that there is no added parking, but added that there is a parking lot. Commissioner Alberts said she would like to know what is the fiscal impact, who benefits from the market? She also asked who pays the fee? Rob Black replied stating that the fee is paid to the City, but he was not certain how much the fee was. Jim Maxwell, a member of the public, and representing the Marina Merchants Association, stated the California Farmers Market Association is a non-profit from the Agricultural Department of the US Government. He said that they are supposed to find spaces for small farmers markets and said that they collect the fees from the farmers themselves, in exchange for getting all the required permits. Commissioner Ventura reported that he had visited the last farmers market and said that in general everyone seems to be in favor of the idea, adding that they are simply concerned with the location. Moving forward he stated that he would like to continue to hear from the office of Supervisor Alioto-Pier, and to make sure that all merchants are involved and have a voice at future meetings. Jim Maxwell stated that the intent was to increase business activity on what are usually slow Tuesdays. He said that they are doing a lot more now, including involving the restaurants more now than before. Florence Alberts asked if there was anyway to track the numbers of what this has generated? She said she would be interested to know facts and results. Rob Black said he did not want to raise expectations in terms of quantifying the data. Commissioner Ventura suggested a survey asking merchants it had helped or hurt their business. Commissioner Sahagun commended the Office of Supervisor Alioto-Pier for working with all the stakeholders on this issue.

Item 8 - Discussion on the Definition of Small Business and How To Define It for SBC Purposes (DISCUSSION POSSIBLE ACTION ITEM)

- Commissioner Ventura stated that he had requested a report from the Treasure's Office, referring to the report before the Commission. He stated that it doesn't reflect all companies within San Francisco, but rather, only those companies for which information had been scanned by the Treasurer's Office. He said that it was a pretty substantial number and said that if they look at the count of EZ forms filed there are 10,359 and he said that you could see the breakdown based on the number of employees, stating that these are businesses with one dba or one location. On page 2 he said you would see a total of 2, 391 companies of businesses with multiple dba's or multiple locations. He stated that he met with the President of the Black Chamber of Commerce and the CEO of the San Francisco Chamber of Commerce and asked for some input from their groups since he said they have a lot of the small business community involved with them. He said that they wanted to make a recommendation to the Commission, that being that the Commission consider the number of companies that employ 25 people or less and have annual revenues that are less than 10 million dollars. He referred to the report, stating that if the look at the number of EZ forms, they stop at 24, stating that it equals 9,036 companies of the 10,359 that were scanned, adding that quite a few companies are captured in that scenario. Commissioner Sahagun asked how this compares to the City & County of San Francisco's definition of small

business. Rich Hillis stated he did not have that information. Commissioner Ventura said that he thought that this is why there was this dilemma and the past commission was not able to define it. He said that he had sifted through a lengthy report provided to the commission and said that he felt some of the data was outdated, hence his reason for requesting the report from the Treasury's office. Commissioner Sahagun asked Commissioner Ventura how this compares to the SBA's definition? Commissioner Ventura replied stating that the federal government's definition is 500 employees or less, which he said does not represent San Francisco. Commissioner Ishimoto stated that the States definition was 100 employees or less. He did not have a revenue figure attached to it. He said he noticed that there were some figures for five sets of industries in dollar amounts that were interesting in the 14A. On the legislative digest of 14A page 12 he referenced the definition of a disadvantaged business stating a number of 14 million for public works and construction industries; 7 million for specialty construction contractors, goods, materials, equipment and general service supplies; 2.5 million for professional services and architect engineering firms; 3.5 million for trucking; and 5 million for telecommunications. Commissioner Ventura said he would be willing to raise the annual revenue maximum to 14 million to catch some of the small construction type businesses and contractors. Commissioner Sahagun suggested that the commission look at industry classification along with number of employees and locations. He cited an example of a service station, which may report annual revenue of 8 million, of which most is cost of goods and only 8 employees. He said that in that example if he had two stations he would not be considered a small business when in fact he is. Commissioner Ventura asked if they could define it per location per employees, and asked if they should get started doing so. Commissioner Sahagun replied stating that since there is an office of economic development and said that they should ask Jesse for information from his office as to how they define small business and how they categorize different businesses in San Francisco in order to help the Commission define it. Commissioner Alberts added that there is the proportion of employees that is very large in some small businesses because they are distributors and they have sales people all over the county or by internet and independent contractors who work with them and so you may have a very small business indeed that has an outreach of a lot of employees that would almost get you to 50-60 and perhaps even 100 and still not have revenues that are large. So be sure you also include the service businesses that have a lot of employees but don't have the capital investment that Commissioner Sahagun was discussing. She said that it the other side and said it is not fair to exclude them. Commissioner Sahagun said that he felt this was a great start and he said he would like to get it to MOED. Commissioner Richardson said that she thought there should be some ratio to the cost of doing business to the number of employees to net. She said there should be a workable equation that could be worked out that would answer all those questions.

Item 9 - Update on Community Benefits Districts by Rich Hillis. (DISCUSSION POSSIBLE ACTION ITEM)

- Rich Hillis, reported that the Small Business Commission made funds available last year to assist neighborhood and merchants groups formulate community benefit districts (CBD's) also known as BID's. He reported that BID's have been successful in other cities including LA and San Diego. He reported that two groups were selected, including the Lower Polk and the Castro. He said that they are currently in the formulation state of a CBD, stating that it is a fairly detailed process, including surveying property owners, creating a management plan, getting 30% of property owners have to agree to put this onto a ballot, and then the property owners actually vote in a mail in ballot. When 50% of

the weighted property owners approve a CBD, it is then formulated. An amount is then assessed and put onto a tax bill, and those monies go back to the neighborhood groups in order for them to implement their management plan. He stated that the funds are usually used for street cleaning, security, promotion, farmers markets etc. He reported that there has been great interest from other groups in creating additional CBD's, adding that they may come back to the Commission this year at some point to request additional funds for the creation of additional CBD's. He reported that it normally cost 40 thousand dollars for a group to go through this process. Commissioner Sahagun asked if the money gets refunded back on the taxes that are being assessed through that neighborhood? Rich Hillis stated that it could if it is specified in the operating management agreement of the BID, adding that under the City's process they did not include that, stating that it was a grant. Commissioner Sahagun stated that if the money were paid back, this would allow more funds to be used for further BID's. Rich Hillis agreed and said that this could be something to consider for the future. Commissioner Ventura asked what the chances are of any of the other neighborhoods appearing on the upcoming ballot to become a BID? Rich Hillis stated that the ballot is not held during a general election, stating that it is a special ballot that is simply mailed to the property owners, so it could happen at any time. Commissioner Richardson asked if it was a citywide ballot or district ballot? Rich Hillis replied stating that the neighborhood group determines the boundaries of the BID, and the election is strictly for those boundaries. Commissioner Richardson said that this would be expensive and asked who pays for these district balloting? Rich Hillis replied stating that it is part of the cost of the 40 thousand dollars.

Item 10- Report by Norm Ishimoto, Chair of the Search Committee regarding the search for an Executive Director (DISCUSSION POSSIBLE ACTION ITEM)

- Commissioner Ishimoto reported that the Search Committee had identified eight qualified candidates to interview. He reported that one of those candidates was offered another job, so they interviewed a total of seven candidates. He said it was a very detailed and exhaustive search process, adding that the committee worked tremendously hard. He said he was looking forward to the end results. Commissioner Sahagun publicly thanked Commissioner Ishimoto for doing a terrific job in making sure that they had qualified candidates for the Mayor to consider. He said that along with Commissioner Alberts, they spent a lot of time going through the applicants.

Item 11 - Report by Florence Alberts, Chair of the Community Outreach Committee regarding the Community Outreach Committee (DISCUSSION POSSIBLE ACTION ITEM))

- Commissioner Alberts announced the upcoming meeting of the committee, stating that it was scheduled for August 23, 2004 at 5:30 PM. She extended an invitation to everyone stating that she really wanted input from the various stakeholders. She said that at this meeting they would entertain all kinds of preliminary input. She also reported that she had spoke to Susan Reynolds of MOCD regarding Project Connect. She stated that she asked Susan if one of the questions could be about small business assistant, because she said a lot of small businesses are home based businesses.

Item 12 -President's Report -allows president to report on recent small business activities and make announcements (DISCUSSION POSSIBLE ACTION ITEM)

- Commissioner Sahagun reported that he was invited to speak at the Council of

District Merchants Association annual luncheon with the Mayor. He thanked Jim Maxwell for inviting him and said that he was able to describe the new Chartered Small Business Commission and said that it was a terrific event with merchants from all over the city.

Item 13 - New Business -allows the Commissioners to introduce new agenda items for future consideration (DISCUSSION POSSIBLE ACTION ITEM)

- None.

Item 14 - Public Comment on all matters pertaining to the closed session

- None

Item 15 - Closed session held pursuant to Government Code Section 54957 and San Francisco Administrative Code Section 67.10(b):

PUBLIC EMPLOYEE APPOINTMENT/HIRING[TITLE: Executive Director]

(Presentation to the full Commission of the names of the qualified candidates for the Executive Director position. Vote to recommend the candidates to the Mayor) (ACTION ITEM)

Item 16 - Reconvene in open session

Item 17 - Vote to elect whether to disclose any or all discussions held in closed sessions. (San Francisco Administrative Code Section 67.12 (a). (ACTION ITEM)

- Commissioner Ishimoto reported that they had an extensive discussion of the requirements to send at least three names to the Mayor for his consideration. He reported that they decided on four candidates that merited the Mayor's consideration. Cathy deCristofaro, a member of the public, inquired about the timeline of sending the names to the Mayor, and about his strategy. Commissioner Ishimoto replied stating that the candidates would be notified once their names are submitted to the Mayor so that they could be prepared for anything, adding that he did not know what the Mayor's strategy would be.

Item 18 - Adjournment (ACTION ITEM)

Action: Commissioner Richardson motioned to adjourn. Commissioner Ventura seconded. Unanimous approval from the Commission. The meeting was adjourned at 8:30 PM.



City and County of San Francisco



SMALL BUSINESS COMMISSION

Notice of Meeting & Agenda

For

Monday, September 13, 2004 Meeting

City Hall, Room 400 @ 5:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

DOCUMENTS DEPT

COMMISSIONERS:

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts

Michael E. O'Connor

Dr. Raye Richardson

Jordanna Thigpen

Richard Ventura

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Commission Secretary – Martha Yañez

1. Roll Call for the September 13, 2004 meeting of the Small Business Commission
2. Approval of the August 9, 2004 Small Business Commission meeting minutes (ACTION ITEM)
3. General Public Comment –allows members of the public to comment generally on matters within the Commission’s purview, as well as to suggest new agenda items for the Commission’s future consideration (DISCUSSION POSSIBLE ACTION ITEM)
4. Entertainment Commission Introduction and review, discussion and possible action on File: 041123 [Prevailing rate of wages for workers engaged in theatrical or technical services related to the presentation of a show on City-owned property]; and File: 041148 [Dance and Place of Entertainment Permits-security requirements, increased penalty for violation]. Presentation by Entertainment Commission staff. (DISCUSSION POSSIBLE ACTION ITEM)
Explanatory Documents: Files: 041123 & 041148
5. Committee Reassignments –allows the President to make committee reassignments (ACTION ITEM)
6. Report by Richard Ventura, Chair of the Legislation Committee regarding the Legislation & Policy Committee (DISCUSSION POSSIBLE ACTION ITEM)
7. Report by Florence Alberts, Chair of the Community Outreach Committee regarding the Community Outreach Committee (DISCUSSION POSSIBLE ACTION ITEM)
8. Vice President’s Report –allows vice president to report on recent small business activities and make announcements (DISCUSSION POSSIBLE ACTION ITEM)
9. President’s Report –allows president to report on recent small business activities and make announcements (DISCUSSION POSSIBLE ACTION ITEM)
10. New Business –allows the Commissioners to introduce new agenda items for future consideration (DISCUSSION POSSIBLE ACTION ITEM)
11. Adjournment (ACTION ITEM)

Public Comment will be taken before or during the Small Business Commission’s consideration of each agenda item.

Explanatory Documents: Copies of proposed legislation listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 436. Please call Martha Yanez (415) 554-6134 to make arrangements for pick up or review.

Know Your Rights Under the Sunshine Ordinance

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Donna Hall, Administrator
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
Office: (415) 554-7724
Fax: (415) 554-5163
E-Mail: Donna.Hall@sfgov.org

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org.

Cell Phone and/or Sound-Producing Electronic Device Usage at Hearings

Effective January 21, 2001, the Board of Supervisors amended the Sunshine Ordinance by adding the following provision: The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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Small Business Commission >> Meetings

City and County of San Francisco
Small Business Commission



September 14, 2004

CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

MEETING MINUTES

DOCUMENTS DEPT.

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Monday, September 13, 2004 5:30 PM

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____ Small Business Commissioners ____

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts, Michael O'Connor, Dr. Raye Richardson, Jordanna Thigpen, Richard Ventura

Executive Director - Agnes Briones

Commission Secretary - Martha Yañez

Members Absent: Raye Richardson

Call to order:

Item 1 - Roll Call

- The Small Business Commission met on Monday, September 13, 2004 in regular session. The meeting was called to order at 5:37 PM. All the Commissioners were present.

Item 2 - Approval of minutes of the August 9, 2004 SBC Meeting (Action Item)

Action: Commissioner Alberts made a motion to approve the August minutes. Commissioner Thigpen seconded. Unanimous approval from the Commission.

Item 3 - General Public Comment (Discussion Item)

- Aileen Hernandez, a member of the public and Chair of the Coalition of Economic Equity. She stated that they sent a letter inviting the Commission to send a representative from the Commission to their meetings. She stated that

it is a 22-year-old coalition of organizations that work on MBE/WBE & LBE's. She stated that they were instrumental in drafting the original 12D and monitoring it through all of the changes as it moved forward. She stated that with the current situation, they are meeting once again to come up with ideas of how this should work in the new millennium ahead. She reissued the invitation, stating that the next meeting would be the 18th of September at 818 47th Avenue, and said that they are ready to work with the Commission. Commissioner Thigpen asked what time the meeting would be at? Ms. Hernandez replied stating that the meeting is scheduled for 9:30AM and said that it is a Saturday and usually runs until noon. Commissioner Ventura invited Ms. Hernandez to a stakeholders meeting to address supplier diversity and championed by both Supervisors Ma and Ammiano, and Virginia Harmon of the Human Rights Commission. Ms. Hernandez stated that she was failure with the group and said that they have been actively participating in these discussions as well as in the discussions with the Mayor's Office. Commissioner Ishimoto asked Ms. Hernandez what would be on the agenda for Saturday's meeting. Ms. Hernandez replied stating that they were still working on the agenda, but said that 14A is usually the topic of their meetings, to ensure that within the context of the changes that may be required by the courts decision, that they do not overlook the fact that there is still discrimination toward a lot of the small MBE/WBE & LBE's in the City.

- **Stephen Bachman**, a member of the public and a small business owner of Vinfolio, LLC a business that employs 10 people and who's focus is to service wine collectors, including acquisition, storage, cellar management and shipping, stated that his business is currently located at 199 First Street. He said his business is licensed with 3 different types of ABC licenses, including 9, 17 and 20, which are importing, wholesaling and retailing. He said that the issue they are having is that they are trying to relocate the business to the Mission District on Bryant Street. He said that they were denied the issuance of the Type 20 license, which is an off sale wine retail license, at the new location because of the Mission Alcoholic Beverage Special Use Sub District Ordinance, which was created in 1996. He said that their storage location is located at the new address and is operating and said that they have a separate type 14 warehouse license, which he said effectively allows them to do everything they need to do their, except keep their sales staff and record keeping people at the location. He said that as a result they are being forced to split their business between two locations and they would like to have it all in one building. He said that the issue seems to be that when the Mission Sub District Ordinance was originally created in 1996, the type of license that he has did not exist. He said that he has a retail off sale license that is only for businesses that are not open to the general public, adding that there is no walk in, no store front, stating that it is all done via internet, by phone, or direct mail type of sales. He said that the type of license he has only came into existence in 1997, the year after the Mission ordinance was passed. He reported that all of the other three neighborhoods with similar districts have exceptions for the license that has, except the Mission, because they were all passed after 1997. He said that he is trying to get the Mission Ordinance amended to reflect the new license that he has in order to get the permit issue resolved and consolidate his office space effectively into one building. Commissioner O'Connor pointed out the President of the Entertainment Commission in the audience and said that she would be failure with the issue at hand, offering her as a possible resource. Ms. Audrey Joseph briefly addressed the Commission and Mr. Bachman with some suggestions. Commissioner Sahagun directed Mr. Bachman to take his matter up with the Legislation & Policy Committee at their next meeting.
- **Cathy de Cristofaro** a member of the public and staff to the local Workforce Investment Board and the Private Industry Council congratulated the new director and said she hopes to meet with her soon. She said she works closely

with the One Stop system, delivering services to employers and job seekers in San Francisco. She reported that she recently attended the California Workforce Association's annual events in Monterey, named "Meeting of the Minds." She stated that it is one of 2 events that they host annually to give those people in the workforce arena, an orientation to burgeoning issues around the state and the country. She said that there was a huge focus at this event on the needs of the small business community, stating that in a sense they have a missed opportunity in terms of cultivating within their communities entrepreneurship opportunities instead of solely trying to attract business to San Francisco, to look at what opportunities exist from within. She stated that there were a number of organizations represented and presented to the Commission a pamphlet detailing different promising and best practices around the state, where our system has made a more concerted attempt to address the needs of business. She offered to provide an overview and update around getting a better connection between Economic and Workforce Development.

- Stephen Cornell stated that he is a small business, thus he is considered a disadvantaged business, stating that he received a notice from the HRC informing him that he automatically complied with 14A and requesting that he file the attached form stating such, however, the law was not attached and suggested that this procedure be reviewed. Secondly, he stated that he recently received the information on the new minimum wage ordinance from the city, stating that while the form is available in four languages, it should not be printed double sided, because it makes it impossible to read the other side when asked to be posted. Finally, he commented on the truck only yellow zones in the down town area, stating that if you have a commercial vehicle it makes it impossible to park down town in a legal parking space. He stated that the previous commission had established a sub committee to review this policy, adding that it was never fully resolved. He stated that if one has a four-wheel commercial vehicle, there is not a single space on Market Street where one can stop and make a deliver and/or pick up. He said that there is hardly any place to make a pick-up or delivery anywhere in the downtown area of San Francisco with a four-wheel vehicle. He stated that one way to get around this is to say something to the Director of DPT, at which point you will be given an exemption. He suggested that the Commission take this matter up once again with the Department of Parking & Traffic. Commissioner Thigpen stated that this is a citywide issue and said that it should definitely be on the Commission's agenda. Commissioner Sahagun requested that the Department be asked to address the commission regarding this issue at a future meeting.
- Michael Thomas a member of the public and staff of Nixon Peabody LLP stated that he is a member of the Community Outreach Committee and said that he was present to show his support to the Commission, in particular to the Outreach Committee.

Item 4- Entertainment Commission Introduction and review, discussion and possible action on File: 041123 [Prevailing rate of wages for workers engaged in theatrical or technical services related to the presentation of a show on City-owned property]; and File: 041148 [Dance and Place of Entertainment Permits-security requirements, increased penalty for violation] Presentation by Entertainment Commission staff. (Discussion Possible Action Item)

- Jocelyn Kane of the Entertainment Commission began by briefly explaining the role of the Entertainment Commission, stating that it is a seven member Commission established in 2003. The Entertainment Commission has the powers and duties to accept, review, gather information regarding and conduct hearings for entertainment-related permit applications. Additionally, the Entertainment Commission plans and coordinates the provision of City services for major events for which there is no recognized organizer, promoter, or sponsor. She stated that Director is Bob Davis, and said that he is available to

talk to the commissioners if they have further questions. They meet twice a month and said that it would be wonderful for the two commissions staff to work together when overlap occurs. Audrey Joseph, President of the Entertainment Commission added that one of the mandates is to do what they can to stimulate the economy of the entertainment industry. She went on to explain Sharod's Law, which is a piece of legislation that they consulted on. She said that Supervisor Maxwell has presented it to the Board of Supervisors and said that it is named for Sharod, who is the young man that was killed at the YMCA during a dance. She said that the legislation amends the One Night Dance Permit, which currently exists and it amends it in the following ways: It says any place or premises where a dance is to be held must conform to all existing health safety and fire ordinances, proof of such shall be provided by a permit applicant; any place or premises where a dance is to be held must have a security plan, proof of such plan must be provided by the permit applicant; it shall be the responsibility of the owner or manager of the building or premises that is going to be used by others to make sure that the dance permit is issued. She said that there would be a cost for a dance permit, which has not been established yet, adding that the security plan is that it provides one security guard for every 100 persons in attendance. It secured a 50 ft. perimeter in all directions around the location of the dance hall to prevent injury to persons, damaged property and provides an orderly disbursement of people going to the dance. She stated that one of the things that they should know is that the city has passed an after-hours 18-21 year old permit, adding that in the past people under 21 were not allowed to attend any facility after 2am, stating that now they can go to after hours parties. She said that in terms of the penalties, any violations of the provisions should be considered an infraction, adding that a person who violates the article more than once in 12 months should be guilty of a misdemeanor, a violation which the infraction is punishable by a \$100 fine. She said that the misdemeanor was moved from \$500 to \$1000 as a fine. She said that that is the first part of Sharod's Law, stating that the second part establishes a whole new permit, called a One Night Event Permit. She said that it is a Place of Entertainment Permit (POE) issued for one night only. She said that any place that is not licensed as a POE, that has some kind of event that provides entertainment for a dance has to get one of these permits. She said that the violation of that permit carries the same penalties. Commissioner Thigpen asked how they arrived at the ratio of 1 guard to 100 attendees? Audrey Joseph replied stating that it is an industry standard. Stephen Cornell, a member of the public and representative of the Small Business Advocates asked if the same applies to churches, schools, dance schools, and said what about a school prom? Audrey Joseph said she thought it applied to anyplace. She read the following from the legislation: Any place or premises where a dance is to be held...Commissioner Sahagun asked what type of outreach has been done to schools? Ms. Joseph responded stating that the Board of Supervisors had not yet passed it, adding that it had been referred to Committee and the hearing has not been set. Commissioner O'Connor asked if there was a proposed fee for the One Night Permit? Audrey Joseph replied stating that it would be between \$200-400. Commissioner O'Connor clarified that mostly teenage audience attended the dance where the shooting occurred at the YMCA. He said that one of his major concerns regarding youth in San Francisco is that there is a complete lack of things for teenagers to do in the City, stating that a lot of it has to do with ABC permits and age requirements. He said he was in favor of the law and said that Supervisor Maxwell did a good job of putting it together, but said that it should be accompanied with some other legislation that provides an outlet for youth. Audrey Joseph responded stating that they are working with the Youth Commission to sponsor an all ages dance permit, which would be an all ages' party. She said that there are places in the city that do offer kids parties from time to time for kids under 12. She said that with the passage of the youth

after hours, they hope that there will be more places for kids to go at night, including restaurants and places that don't serve alcohol etc. She agreed with Commissioner O'Connor's comments. Commissioner Thigpen offered an idea, asking if they have considered writing into the statute that things for teenagers would be cut a break on the permit fee and would not be assessed the same rate as other dances. She asked if that was possible? Jocelyn Kane said that any of this is a possibility and said that they definitely would have to work through Supervisor Maxwell's office in terms of any revisions to it. She said that the fees are supposed to be, as all city fees are, a cost recovery measure. She said that this makes it so that you kind of have to have one fee and said that she would rather try to keep it as low as possible and the same for everyone with the possibility of issuing waivers on occasion. Audrey Joseph stated that the problem with the permit is that it requires approval by several city departments, which increases the cost. She said that there would be hearings on the cost and invited the Commissioners to attend.

Commissioner Ventura suggested that this be placed on the Legislation and Policy meeting on Monday and to work more closely with the Entertainment Commission and possibly wordsmith of the legislation to something that would work and invite Supervisor Maxwell. Audrey Joseph suggested Commissioner Ventura talk to Sarah, Legislative Aide to Supervisor Maxwell. Commissioner Sahagun thanked them for coming tonight and said that he agrees that they should work together to eliminate some of the bureaucracies whenever possible. Director Briones offered to follow up with Sara on this issue, stating that she had previously worked with Sarah and would be happy to follow up.

- Audrey Joseph stated that the second piece of legislation had to do with the Prevailing Wage. She said the Entertainment Commission would be holding a special hearing the following night in room 406 on this issue. She stated that the City has a resolution before the Board of Supervisors with regard to the prevailing wage. She read from the resolution including: Whereas Administrative Code Section 21.253 requires that every contract, lease, franchise, permit and agreement awarded, let issued, or granted by the City and County of San Francisco require that any employee engaged in Theatrical or technical services related to the presentation of a show, including but not limited to workers engaged in rigging, sound, projection, theatrical lighting, videos computers, draping, carpentry, special effects and motion picture services be paid not less than the prevailing wages, including wages for holiday, overtime work, fringe benefits, or an equivalent amount as paid in the private employment for similar work. She said that the Finance Committee of the Board of Supervisors asked the Civil Service Commission to come up with the prevailing wage in private industry. She said that this is particular to property that the city leases, so that if someone were to lease City Hall for a party, excluding weddings, they would fall under this as well. She stated that the Civil Service Commission writes in a memo, typically the Department of Human Resources obtains prevailing wage data from the State of California's Director of Industrial Relations, who is mandated to compile this information for a wide variety of crafts and trades. However the Director does not report on prevailing wage for workers employed in theatrical related occupations outlined in the preceding paragraphs. The Department of Human Resources was unable to find data supporting a prevailing wage for these occupations from any other governmental agency, therefore to best comply with the ordinance as passed by the Board of Supervisors, DHR has obtained a projected agreement of Local 16 of the International Alliance of Theatrical State Employees. She said that when the industry at large, that is comprised of a lot of small businesses, most of whom have few employees but only put on one time employees on a day of show, saw what the prevailing wage was, they realized that they could never work in a city owned or leased property again, because the wages and requirements were so high that they would make no money. She said an example of this is Bill Graham Civic Auditorium, which

remains under utilized because it is so expensive to do work there. She said that they are holding a hearing because she said that they believe there is data that exists in the industry that is other than the contract of Local 216. She said that they have been contacted by many small businesses that are very upset about the prevailing wage. She reported that it is at the Board of Supervisor's Finance Committee and said that they are hoping to get a report together based on the testimony and make a recommendation. Commissioner Ventura asked what time the hearing would be scheduled for. Audrey Joseph replied stating that it was scheduled for 6PM in room 406. Commissioner O'Connor stated that he was planning to attend. Commissioner Ventura clarified that both Commissioner's O'Connor and Thigpen would be attending. Commissioner Sahagun asked if prevailing wage mandatory for street vendors etc. Audrey Joseph stated that street fairs are excluded, stating that there were a lot of large street fairs that lobbied the city, such as the Gay Pride Parade and the Chinese New Year Parade, stating that those large events have been excluded from this legislation, as have weddings, adding that it's just City owned and leased property.

Item 5- Committee Reassignments (Discussion Possible Action Item)

- Commissioner Sahagun announced that there were several reassignments. He announced that the Community Outreach Committee, chaired by Commissioner Alberts, would now consist of Commissioners Thigpen and himself. Furthermore, the Budget and Economic Development Committee will be headed by Commissioner Ishimoto and includes Commissioner Richardson and Commissioner Ventura. He requested for Commissioner Ishimoto to convene a meeting of the Budget Committee by the end of the month

Item 6-Report by Richard Ventura, Chair of the Legislation Committee regarding the Legislation & Policy Committee(Discussion Possible Action Item)

- Commissioner Ventura stated that he would like to move forward in defining small business. He reported that at the last meeting the committee was able to agree on companies that employ 25 people or less and capping annual revenues at 15 million. He said he wanted to offer this for discussion. Commissioner O'Connor said that 15 million sounded quite high, asking for explanation on how that number was derived. Commissioner Sahagun intercepted, stating that he has a problem putting a number down on revenue and employee, because he said it depends on the industry. He provided some examples of his own industry, the gas/service station industry. He said that cost of goods really make a big difference as to what revenue one uses to define small business. Commissioner Alberts asked for clarification on the number of employees and stated that it too depends on the industry, adding that awards were given at the Small Business Network dinner to companies that employ over 25 people and for very justifiable reasons, but said that they should certainly still be considered small business. Commissioner Sahagun asked if the City and County of San Francisco has a working definition of small business? Commissioner Thigpen stated that she thought the past Commission had defined it as 100 employees or less and said that this also seemed to be the definition of the SBA. Commissioner Ventura said that while at a conference in DC, folks were asking for a number of 50 and fewer employees. He said that some folks believed that revenues as high as 20-30 million should still be considered small business. Commissioner Sahagun stated that if the revenue is heavily the cost of goods it may be a small business, adding that he thinks that in any definition that they decide on that consideration be given to the trade class. Commissioner Alberts stated that she wanted to hang in there on the employee number too. Commissioner Sahagun requested to present the

information to the new Executive Director, adding that as soon as she gets started, she could help the commission define what a small business is in San Francisco. He said that there are over 100 thousand businesses in San Francisco, adding that many of them are only 1 or 2 people businesses. He said that the Federal guidelines seem to be out of step for what San Francisco is. Commissioner Ventura stated that he agreed with Commissioner Alberts, adding that maybe they define it by industry. Agnes Briones said that she would be glad to help the Commission define small business for San Francisco. Commissioner Ventura reported on a separate matter, that having to do with trying to help businesses with specific small business issues and concerns on a case-by-case basis and as a policy issue. For example he mentioned Stephan Bachman of Vinfolio, as well as Frog Design, stating that the Committee would continue to work with these businesses in an attempt to resolve their issues. Commissioner O'Connor stated that Frog Design is symbolically a huge and important company in product design and design in general. He said that they are seen as one of the top product design companies in the world, and to lose them, would be to not only lose those jobs, but to lose the symbolism of having them in San Francisco. Commissioner Ventura reported that he had recently walked along Market Street and said that he counted over 9 businesses that were gone in the last 6 months or so. He said that he would like to treat every business as a star business in order to keep them here. Finally he reported on the DBA ordinance stating that he and Commissioner Ishimoto are participating with Supervisor Ma and Ammiano and Virginia Harmon of the HRC, stating that they will meet every 2 weeks to look at how to continue to work with these businesses. He said that they would be glad if the Coalition of Economic Equity would join them, adding that they will begin to look at best practices.

Item 7 - Report by Florence Alberts, Chair of the Community Outreach Committee regarding the Community Outreach Committee (Discussion Possible Action Item)

- Commissioner Alberts confirmed that everyone had received the notes from the August 23rd meeting of the Committee. She said that they had an excellent turnout of the federal, local, academic non profit organization leaders in the community as well as many private sector professionals both legal accounting social work and so forth. She stated that the list of these folks is available. She said that wonderful ideas came out of the meeting, and there was a lot of enthusiasm and a lot of support for the Commission acting as a champion for small businesses and as a clearinghouse. She reported on some of the main suggestions and comments made at the meeting including, the creation of a website portal and clearinghouse of services, incorporate a calendar of events, and events during small business week to showcase our services and resources. She stated that they would be seeking a lot of input from the community and business service providers, adding that another meeting would be scheduled soon to continue this discussion and the great ideas. Commissioner Sahagun stated that he was a guest at that meeting and said he was thoroughly impressed by the number of people as well as the level of talent. He commended Commissioner Alberts for her work. He asked for a list of the people who attend the meeting and for the SBC to send them a thank you card and let them know that we will be meeting again.

Item 8 - Vice President's Report -allows vice president to report on recent small business activities and make announcements (Discussion Possible Action Item)

- Commissioner Ishimoto reported that he was very pleased to have the new Executive Director on board. He said he would be wrapping up the selection process and informing the unsuccessful candidates that they did not get the job. He said that they need to develop relationships and

practices and procedures with the Mayor and the Supervisors and announced that the Mayor had mentioned that he might address the Commission to work out an agenda. Finally he said he would like to look into having an event that would introduce Ms. Briones to the small business community. He also spoke to the DBE ordinance legislation, stating that there would be a stakeholders meeting at 3PM in Room 201 that Thursday. He said it would be to gather information and he invited Ms. Briones to attend. Furthermore, he suggested a joint hearing with the Human Rights Commission. He stated there is a lot of misunderstanding as to how much business is expected once they have applied for certification. Finally he mentioned that he was happy that the legislation committee was reviewing this and that there is now a director on board to work with them. In historical context, he stated that when the original legislation was sun setting in 1988 and it had to be reauthorized, he was the hearing officer for the HRC. He reported that they had several days of testimony in which MBE and WBE owners testified as to the obstacles that they faced. For the record he managed to get these testimony out of his files and said that he had 3 copies of it. He said that it provides a good snapshot of what they did 16 years ago and may in some fashion happen again.

Item 9 -President's Report -allows president to report on recent small business activities and make announcements (DISCUSSION POSSIBLE ACTION ITEM)

- Commissioner Sahagun reported that as of the present meeting, the Commission had a new Executive Director. He introduced Ms. Agnes Briones as the new director of the Small Business Commission adding that the Mayor had made his announcement during a Press Conference held at City Hall earlier in the day. He said he looked forward to working with Ms. Briones to move the small business agenda forward. He reported that fellow Commissioner Norman Ishimoto had also been present at the Press Conference. Agnes Briones thanked the commissioners for the opportunity and said that she looks forward to work with each member as well as with the small business community of San Francisco. She stated that her experience stems across a diverse gamete of both professional and academic experience, particularly working with the South of Market Community and many of the merchants on 6th Street, and in her current capacity at the Mayor's Office of Criminal Justice, seeking out federal dollars to bring into the City for the distressed communities in the South East sector to promote quality of life improvements and economic revitalization.

Item 10- New Business -allows the Commissioners to introduce new agenda items for future consideration (Discussion Possible Action Item)

- None

Item 11 - Adjournment (Action Item)

Action: Unanimous approval from the Commission. The meeting was adjourned at 6:52 PM.



City and County of San Francisco



SMALL BUSINESS COMMISSION

Notice of SPECIAL Meeting & Agenda
For

Friday, October 15, 2004

City Hall, Room 400 @ 5:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

COMMISSIONERS:

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts

Michael E. O'Connor

Dr. Raye Richardson

Jordanna Thigpen

Richard Ventura

DOCUMENTS DEPT.

OCT 13 2004

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Agnes Briones, Executive Director
Commission Secretary, Martha Yañez

1. Roll Call for the October 15, 2004 meeting of the Small Business Commission
2. Approval of the September 13, 2004 Small Business Commission meeting minutes (Action Item)
3. General Public Comment –allows members of the public to comment generally on matters within the Commission’s purview, as well as to suggest new agenda items for the Commission’s future consideration (Discussion Possible Action Item)
4. Presentation on the Isabela Project, “Closing the Latino Capital Parity and Procurement Gap”. Presentation by Supervisor Fiona Ma. (Discussion Possible Action Item)
5. Review and Possible Action on Proposed Ordinance Revising Graffiti Clean Up Requirements For Property Owners and Revising Enforcement and Abatement Procedures Where Property Owners Fail to Remove Graffiti (File No. 041150). Presentation by the Office of Supervisor Sean Elsbernd (Discussion Possible Action Item)
Explanatory Documents: File: 041150
6. Review and Possible Action on Proposed Ordinance Creating a Back Street Business Advisory Board (File No. 041356). Presentation by Greg Assay, Legislative Aid to Supervisor Sophie Maxwell (Discussion Possible Action Item)
Explanatory Documents: File: 041356
7. Presentation on San Francisco’s New Minimum Wage Ordinance. Presentation by Donna Levit and Kareem Olateju of the Office of Labor Standards Enforcement (Discussion Possible Action Item)
8. Legislation and Policy Committee Report. Report by Richard Ventura, Chair (Discussion Item)
9. Community Outreach Committee Report. Report by Florence Alberts, Chair (Discussion Item)
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City and County of San Francisco

Small Business Commission



October 15, 2004

CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

MEETING MINUTES

Friday, October 15, 2004 5:30 PM

Small Business Commissioners

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David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts, Michael O'Connor, Dr. Raye Richardson, Jordanna Thigpen, Richard Ventura

Executive Director - Agnes Briones

Commission Secretary - Martha Yañez

Members Absent: Raye Richardson

Call to order:

Item 1 - Roll Call

- The Small Business Commission met on Monday, September 13, 2004 in regular session. The meeting was called to order at 5:37 PM. All the Commissioners were present.

Item 2 - Approval of minutes of the September 13, 2004 SBC Meeting (Action Item)

Action: Commissioner Thigpen made a motion to approve the September minutes

as amended by Commissioner Ishimoto per his notes to Martha. Commissioner Alberts seconded. Unanimous approval from the Commission pending amendments.

Item 3 - General Public Comment (Discussion Item)

- Non e

Item 4- Presentation on the Isabela Project, "Closing the Latino Capital Parity and Procurement Gap". Presentation by Supervisor Fiona Ma. (Discussion Possible Action Item)

- Marcela Davison Aviles, Executive Director, Latino Community Foundation and the Mexican Heritage Plaza in San Jose. Ms. Aviles stated that the Isabela Project is a community-based pilot program designed to liberalize the capital flow into minority, women, and disabled vet owned business. She stated that it provides three important benefits, including, an innovative source of financing for business owners, increased capacity to successfully execute real-time procurement opportunities, and increased job growth and career opportunities. She stated that there are a number of challenges for the emerging domestic markets in accessing capital, including, lack of loan performance data, expense of servicing small loans, and a lack of professional and social networks among others. Likewise, she stated that there are challenges to accessing procurement, including difficulty accessing financing to build capacity to handle increased business, lack of relationships with corporate partners, and lack of minority certification among others. She stated that there is a lot of research behind the Isabela project, including comprehensive investigations of best practices in addressing the capital and procurement gap faced by Latino small businesses in the San Francisco Bay Area and nationally. Additionally they conducted literature review, interviews and working roundtables with financial, business, community, academic and public policy leaders. She stated that the next steps included conducting a feasibility study, obtain a credit rating, engage an underwriter, and coordinate a procurement pilot program. She asked that Commission to join Union Ban, Wells Fargo Bank, PG&E, Supervisor Fiona Ma and CalSTRS to support this important community based program, which she said would be replicated nationally. Furthermore, she requested funding from the Small Business Commission in the amount of \$35,000 grant towards the \$112,575 needed to conduct debt securitization feasibility study by the Milken Institute. Commissioner Sahagun asked Director Briones about the budget process. Director Briones suggested for the Budget Committee to meet and establish their goals and objectives as a committee then decide if this request falls under those goals and objectives. Commissioner Sahagun suggested that the Budget Committee with the help of the Director review the current budget to set out the goals and objectives and to determine the available discretionary funds.

Item 5 - Review and Possible Action on Proposed Ordinance Revising Graffiti Clean Up Requirements For Property Owners and Revising Enforcement and Abatement Procedures Where Property Owners Fail to Remove Graffiti (File No. 041150). Presentation by the Office of Supervisor Sean Elsbernd (Discussion Possible Action Item)

- Supervisor Sean Elsbernd stated that this piece of legislation was initially introduced by then Supervisor Newsom. He reported that the item had been heard at the City Services Committee a couple weeks past, and said that

Supervisors Dufty, Ma, and Alliotto-Pier sponsored it. He reported that it would come before the full Board of Supervisors the following Tuesday, stating that the city needs to take more ownership of the problem, adding that Mayor Newsom had requested city departments to address graffiti problems within their jurisdictions. Commissioner Thigpen asked if Supervisor Elsbernd had worked with the District Attorney's office and or otherwise contacted them? Michaela Hocht, Deputy City Attorney assigned to the Graffiti Taskforce, replied stating that they had indeed contacted the DA's office, stating that they are currently reviewing their abatement process. She reported that there is a diversion program, which results in community service. Commissioner Ishimoto stated that he was very impressed with efforts to address this issue, but questioned how the City knows that it is outsiders who are in large the culprits of the graffiti? Michaela Hocht, speaking from her conversations and in working closely with Officer Putz, stated that based on his arrest, it is evident that these people come from places like Novato and New York. Commissioner O'Connor stated his approval of the legislation, but questioned why there isn't any public art space in the City. He reflected on the fact that he as a candidate running for supervisor can post posters all over the city as long as he obtains the proper permits. He wondered if this was simply a matter of the City wanting to collect revenue and asked if these people were to get permits, would they be allowed to do this? Director of Public Works Ed Lee replied stating that graffiti is essentially defined as that which is not permitted. He said that this is partially because the City via DPW needs to be able to control this type of activity, or at the very least have a mechanism to track it. He stated that this aids in the enforcement and abatement aspect of graffiti and/or posters as described by the Commissioner. He commented briefly on Officer Putz report, adding that what they have discovered is that there are hundreds of websites highlighting San Francisco graffiti, "taggers" if you will. He stated that this legislation would bring about a better partnership with property owners. In addition he reported that they are working hard with schools as well as private businesses to abate graffiti, adding that the Mayor's office is also taking a proactive approach, by sending letters to property owners and private companies asking them to remove graffiti from their properties. Commissioner Ventura asked if the City is aware of other large cities that are dealing with graffiti? Director Ed Lee replied stating that all cities deal with graffiti to some extent, but he added that other cities have 20 to 1 the number of business improvement districts that San Francisco has. He mentioned that as part of the Clean and Green program they have incorporated "adopt a block" program. Commissioner Thigpen stated her support for the legislation, but echoed the comments of Commissioner O'Connor, adding that at times graffiti could serve a purpose. For example she referenced the recent tags urging people to Vote! She asked if there would be an effort to provide public arts space? Director Ed Lee stated that they have in the past worked with organizations such as Precitia Eyes, to paint murals on buildings, which had previously been plagued with graffiti. He said to a great extent these murals have not been tagged. Commissioner Thigpen asked about the Adopt a Block program. Director Ed Lee replied stating that it is a community effort to clean the streets, adding that DPW provides as much of the tools necessary, including paint which often times is donated by Kelly Moore, and volunteers use these tools to clean up. Robert Garcia, a member of the public and representative of Save Our Streets showed a picture of a brick building, which has been hit 15 times in the past 2 months. He stated that this was a real problem in the Lower Nob Hill area, in which they have many old brick buildings that are being tagged. He said that it is extremely hard and expensive to remove graffiti from raw brick, adding that special equipment must be brought in with a truck. He said that if additional burdens are to be placed on the building owner, likewise, additional criminal charges and/or stronger penalties must be filed against the culprit, adding that graffiti crimes

should be treated as vandalism. He said it is not art. Michaela Hoxter stated that the City Attorney's Office contemplated this issue with regard to masonry buildings in the drafting of the legislation and said that they included a provision in the ordinance, which allows for a hardship request, including an extension in abating the graffiti. Commissioner Ishimoto asked Mr. Garcia if this addressed his concern? Mr. Garcia replied stating that they should also consider higher penalties for historic buildings, whether the person has a prior arrest record, if the tag is in the database, and if the damages are over \$400. Philip Lesser, a member of the public and President of the Mission Merchants Association stated that it costs \$6,000 to clean one block per month. He said it takes a team of people working 7am-1pm 7 days a week to clean a street, adding that San Francisco should be the "best practices". Commissioner Sahagun asked if Mr. Lesser supported the legislation? Philip Lesser said yes, but added that there has to be a mechanism in place, one in which every one on the block is working together. He offered that the mechanism is the CBD's. He said that they want to be the first. Commissioner Ventura stated that he would like the Legislation and Policy Committee to take up the issue of creating additional CBD's.

Action: Commissioner Ventura made a motion to support Supervisor Elsbernd's proposed legislation, provided that he commission a best practices study. Commissioner Alberts seconded. Unanimous approval from the Commission.

Item 6-Review and Possible Action on Proposed Ordinance Creating a Back Street Business Advisory Board (File No. 041356). Presentation by Greg Assay, Legislative Aid to Supervisor Sophie Maxwell (Discussion Possible Action Item)

- **G reg Assay, Legislative Aid to Supervisor Sophie Maxwell** presented the proposed ordinance, stating that it was introduced at the Board a couple weeks prior. He said that the term Back Street Business was coined in Boston and has previously also been termed Industrial, or PDR, which is the term currently used by the Planning Department. He said that it is everything from warehouse distribution to design centers. He stated that Boston has a Back Street Business Center, with designated staff. He said that the reason they were interested in creating an advisory board is 1) because the City does not currently have staff or a program specifically to assist these businesses, and 2) these businesses have been displaced and we want to do what we can to keep them local. For example he stated that Anchor Steam threatened to leave due to rezoning issues, stating that the intent is to develop mandates that will develop policy and programs to increase these types of businesses. He clarified that a Task Force, not a Commission would look into the issue and report back in 9 months, stating that these businesses are specific. Commissioner Ishimoto asked how other city's deal with the overlap, stating that the proposed new body would seem to be similar in responsibilities to the Commission. Greg Assay replied stating that the new proposed advisory board would not be a commission, stating that unlike the Commission, it will not review legislation. He said it would focus solely on back street businesses and would be a taskforce to the Board of Supervisors. Commissioner Ventura asked how many people will be on the board. Greg Assay replied stating that there would be 7 members, 3 of which would be PDR businesses, 1 labor representative, 1 economic development or planning expert, and 2 people with relevant experience. Commissioner Ventura requested that the advisory board communicates with the Small Business Commission, particularly with the Legislation and Outreach Committees. Commissioner O'Connor commended Mr. Assay and Supervisor Maxwell for initiating the legislation. He said he would be interested in finding out more and participate in the process. He stated that he thought it would be a good thing for the district. Commissioner Alberts suggested to amend the description of the 3 PDR businesses, allowing for one of those 3 members to be

a small PDR business, and that the SBC not be left out of the loop. Commissioner Thigpen asked how this new board would work with the new Office of Economic Analysis that would be created by the passage of Prop 1? Greg Assay replied that this board would not be designed to review legislation, stating that he believes the Office of Economic Analysis would be doing economic forecasting. Commissioner Sahagun recommended that a seat be set-aside for an member of the Small Business Commission.

Action: Commissioner O'Connor made a motion to support Supervisor Maxwell's Proposed Ordinance with the suggestions and recommendations made by the Commission. Commissioner Thigpen seconded. The motion passed with a 5 to 1 vote. Commissioner Ishimoto voted against it.

Item 7 - Presentation on San Francisco's New Minimum Wage Ordinance.
Presentation by Donna Levit and Kareem Olateju of the Office of Labor Standards Enforcement (Discussion Possible Action Item)

- **Donna Levit**, Office of Labor Standards Enforcement Manager, stated that her office is responsible for working with city department to monitor and enforce labor ordinances that the city has implemented. She talked about the city's new Minimum Wage Ordinance, stating that San Francisco is the first City to pass a citywide minimum wage. She stated that it became effective February 23, 2004 as a result of a voter initiative passed November 2003, stating that the new minimum wage is \$8.50 per hour, with small businesses, defined as 10 or few employees, not required to comply until January 2005. Commissioner Sahagun asked who is excluded. He asked what impact this has on businesses and under used assets? Donna Levit replied stating that they are not charged with commissioning studies, adding that the studies that have been done show that an increase in minimum wage does not result in job loss. Commissioner Thigpen suggested including a flyer in the payroll tax forms that are sent out by the Office of the Treasure and Tax Collector. Donna Levit announced that she has a meeting scheduled for Monday with the Treasure's office to discuss just that, and said she would make that request. She also said they had previously asked, but were denied because she said they said it would be too confusing for businesses.

Action: Commissioner Thigpen made a motion for the Small Business Commission to adopt a resolution that would request the Office of the Treasure and Tax Collector to include information on the new Minimum Wage Ordinance in their mailings. Commissioner Alberts seconded. Unanimous approval from the Commission.

Item 8 - Legislation and Policy Committee Report. Report by Richard Ventura, Chair (Discussion Item)

- **Commissioner Ventura** reported on a recent victory that the Legislation Committee had a hand in, specifically related to a small business. He reported that Vinfolio had approached the Commission and later the Committee with a permit issue. Vinfolio working with the Committee was able to garner support from community groups such as PODER and MAC, which resulted in the Board of Permit Appeals reversal of the Zoning Administrator's decision to deny Vinfolio the necessary permits that would allow them to consolidate the business operations into one location. Commissioner Thigpen reported on another issue that the Legislation Committee had been working on related to parking problems in the South of Market. She stated that she had met with Mark Elkins of Frog Design and Jerry Robins of DPT to look at addressing the parking in the area. She reported that DPT had identified some spaces that could possibly be

changed to allow for additional parking. Furthermore, she said that the two parties had agreed to meet at the street to see if they could identify others. Commissioner Ventura provided the Commission with a table showing how groups feel about particular pieces of legislation.

Item 9 - Community Outreach Committee Report. Report by Florence Alberts, Chair (Discussion Item)

- **C** ommissioner Alberts reported that the Committee met on September 28th and discussed website enhancements as well as Shop Outside the Box. She said that the Commission will take advantage of Shop Outside the Box event to announce the launch of the enhanced website, which she said would be dubbed something like "Gateway to Small Businesses", adding that it would serve as a place to access and exchange information. She also mentioned the idea of the SBC being a champion for small businesses. Finally she announced that if the budget and the space permits, a number of business service providers would be invited to host a table, offering an array of the services they offer. Commissioner Sahagun stated that Shop Outside the Box was something that this commission inherited from the last commission and offered that at this point he felt that the Commission should move forward with the program and make the most of it. Commissioner Ishimoto stated that he had heard some critiques from the community specific with the name of the program. He asked that the title be reconsidered, stating that it is insensitive to the large businesses. Commissioner Sahagun requested to attempt to get more small businesses to participate in the Community Outreach Committee meetings. Commissioner Ventura said that he would share his list of networks. Commissioner Alberts reported that Martha had attended a meeting at the Mexican Consulate, which was the first meeting that would establish a group that would continue to meet to exchange experiences and ideas when importing/exporting and doing business with Mexico.

Item 10- Vice President's Report -allows the vice president to report on recent small business activities and make announcements (Discussion Item)

- **C** ommissioner Ishimoto reported that he and Agnes met with the Human Rights Commission Director and staff to track 14A and establish communications between the commissions. He said that it will ultimately come down to lawyers and activists, adding that it is not likely to happen soon. He said that they discussed the possibility of having joint hearings. He reported that he too had briefly stopped by the Mexican Consulate meeting, stating that Bernardo is a friend of his and said that he is happy to know he is working with the Commission, adding that he hopes others will join, specifically the Filipino Association.

Item 11 - President's Report -allows the president to report on recent small business activities and make announcements (Discussion Item)

- **C** ommissioner Sahagun apologized for the graffiti item running too long. He talked briefly about having a retreat for the Small Business Commission. He proposed a Saturday in December. Commissioner Ventura said he thought it was a good idea. Commissioner Alberts said she had a list of facilitators. Commissioner Sahagun stated that while the Commission had voted and opposed Proposition K, the Mayor might ask Supervisor Elsbernd to introduce an amendment that would raise the threshold from five hundred thousand to 2 million. He said that he had requested that if this was the case, the Commission have a special meeting to consider the amendment legislation. Commissioner Ishimoto stated that this was a quick fix and said he regretted

his abstention to the original vote. **Director Briones** stated that the special meeting would likely be scheduled for Friday the 22nd of October.

Item 12 - New Business -allows the Commissioners to introduce new agenda items for future consideration by the Commission (Discussion Possible Action Item)

- **C ommissioner Thigpen** requested to calendar an item for the next agenda, that being for the Commission to consider adopting a code of regulations for merchants associations. She said that the Council of District Merchants has one and she thinks it is a good idea. **Commissioner Ventura** stated that we would like to calendar a discussion and possible action item looking to define small business.

Item 13 - General Public Comment -allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (Discussion Possible Action Item)

- **Non e**

Item 14 - Adjournment (Action Item)

Action: Commissioner Thigpen made a motion adjourn. Commissioner O'Connor seconded. Unanimous approval from the Commission. The meeting was adjourned at 8PM.



City and County of San Francisco

SMALL BUSINESS COMMISSION

Notice of SPECIAL Meeting & Agenda
For

Friday, October 22, 2004

City Hall, Room 416 @ 4:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

COMMISSIONERS:

David Sahagun, President
Norman Ishimoto, Vice President
Florence Alberts
Michael E. O'Connor
Dr. Raye Richardson
Jordanna Thigpen
Richard Ventura

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Special

1. Roll Call for the October 22, 2004 meeting of the Small Business Commission
2. Review, discussion, and possible action on Proposed Ordinance amending the San Francisco Business and Tax Regulations Code by adding a new Chapter 21 to give tax relief to small business enterprises.
(Discussion Possible Action Item)
3. General Public Comment –allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration
(Discussion Possible Action Item)
4. Adjournment (Action Item)

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City and County of San Francisco



SMALL BUSINESS COMMISSION

Notice of Meeting & Agenda

For

Monday, November 8, 2004

City Hall, Room 400 @ 5:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

COMMISSIONERS:

David Sahagun, President
Norman Ishimoto, Vice President
Florence Alberts
Michael E. O'Connor
Dr. Raye Richardson
Jordanna Thigpen
Richard Ventura

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Agnes Briones, Executive Director
Commission Secretary, Martha Yañez

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(415) 554-6134

1. Roll Call for the November 8, 2004 meeting of the Small Business Commission
2. Approval of the October 15, 2004 Small Business Commission meeting minutes (Action Item)
3. General Public Comment –allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (Discussion/ Action Item)
4. Review and Possible Action on Proposed Legislation to Create Interim Zoning Controls for Lower Potrero Hill. Presentation by Greg Assay, Legislative Aid to Supervisor Sophie Maxwell (Discussion/Action Item)
Explanatory Documents: Proposed Legislation
5. Review and Possible Action on Proposed Ordinance amending the San Francisco Administrative Code to create the Mayor's Office on Disability and place it within the Department of Administrative Services (File No. 041487). Presentation by the Office of Supervisor Alioto-Pier (Discussion Possible Action Item)
Explanatory Documents: File: 041487
6. Review and Possible Action on Proposed Ordinance regulating Computer Rental Businesses (File No. 041488). Presentation by the Jaynry Mak, Legislative Aid to Supervisor Fiona Ma (Discussion/Action Item)
Explanatory Documents: File: 041488
7. Legislation and Policy Committee Report. Report by Richard Ventura, Chair (Discussion/Action Item)
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Disability Access Policy

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Small Business Commission >> Meetings

City and County of San Francisco
Small Business Commission



November 08, 2004

CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

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DRAFT MEETING MINUTES

Monday, November 8, 2004 5:30 PM

Small Business Commissioners

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts, Michael O'Connor, Dr. Raye Richardson, Jordanna Thigpen, Richard Ventura

Executive Director - Agnes Briones

Commission Secretary - Martha Yañez

Members Absent: Raye Richardson, Michael O'Connor

Call to order:

Item 1 - Roll Call

The Small Business Commission met on Monday, November 8, 2004 in regular session. The meeting was called to order at 5:37 PM. Commissioners Richardson and O'Connor were absent.

Item 2 - Approval of minutes of the October 15, 2004 SBC Meeting (Action Item)

Commissioner Ventura make a correction to Item #4, stating that instead of La Plaza it should read Mexican Heritage Plaza.

Action: Commissioner Ventura made a motion to approve the October minutes as amended. Commissioner Thigpen seconded. Unanimous approval from the Commission pending amendments.

Item 3 - General Public Comment (Discussion Item)

Dorothy Kelly, of the San Francisco Green Works Project. She stated that she had met Commissioner Thigpen at the Green Festival over the weekend, and she indicated that the Commission might be interested in hearing about the project. She started by talking about the group, stating that it is a grass roots nonprofit corporation, which has been in existence since October 1996. She said that the corporation has been educating people about green issues and values, stating that for many years they presented a series of green talks featuring speakers, authors, experts, and panel discussions on a wide range of topics. She said their focus includes the environment, social justice, local economics, non violence, diversity and sustainability, and more importantly she said is the inner connection between these values. She said that their meetings are most often held at New College in the Mission. She stated that their current project is San Francisco Green Works, which is a network of 20-30 forward thinking Mission based small businesses who will adopt sustainable business practices, working together to build a viable community, which will improve the quality of life for themselves and their neighbors, and to build a strong local economy. She stated that local needs might include transportation issues, job development and litter around the streets. She said that a "How to Guide" about this project, as it develops will be posted on their website as a replication model for other neighborhoods around San Francisco and the world to implement. She said that they are focusing the project on one neighborhood because the local businesses and residents in that neighborhood have to decide on their own community goals and the local economy should be addressing their needs and issues. She said that the role of San Francisco Green Works is to research the many ways various industries, for example a hair salon, or a dry cleaner, could become sustainable. She said that they already developed green standards of conservation community and employee issues and the quality of the goods and services that businesses provide. She said that she has contacted two Universities in San Francisco looking for interns to assist with the research. She said that they will also assist businesses put the methods into practice and promote the businesses on their website and at events throughout the community to help them increase their revenues, and ideally create jobs for the local residents. She said that they would appreciate developing a working relationship with the SBC if the opportunity arises; adding that they feel there is a lot of duplication of efforts along the green front and said that they would like to share their knowledge and activities where possible. Commissioner Sahagun said that as a service station owner, he works with the Department of Health in trying to keep a green type business so that he refuses to use a certain type of aerosol, recycle and reuse as much as possible, stating that the Department of Health has been wonderful in offering classes to educate repair shop owners and wondered if Ms. Kelly through her organization had been in contact with the Department of Public Health. Dorothy Kelly stated that she believed that at one time Virginia St. Jean was connected with the Department of Public Health and said that she and others from her group had attempted to reach her to no avail. She said that she would like to make contact with her. Commissioner Sahagun said that it was too bad because Ms. Jean was actually the one that one that was conducting the classes and did the program and said that they were doing it in conjunction with the State of California Green Program. He said that AAA also has a Green Program, adding that there seems to be a lot of emphasis in moving in this direction, but said that it seems to be staggered all over the place and said that the effort is not coordinated as well as it should or could be. Dorothy Kelly agreed that this was a problem. Commissioner Sahagun concluded by stating that the Commission would love to work with her organization, adding that he believed that the Community Outreach Committee of the Commission ought to be working with her group. Commissioner Alberts stated that the Community Outreach

Committee will be implementing a Green Business subcommittee, which would be chaired by Commissioner Jordanna Thigpen. She invited Ms. Kelly to attend the next Community Outreach Committee meeting. Commissioner Thigpen stated that she could request to obtain a copy of the agenda for the November 18th meeting, the next Community Outreach Committee meeting. Dorothy Kelly stated that she had some informational materials that she had available at the fair; she said she would leave them for the Commission. Stephen Cornell, a member of the public, stated that he had received a list of the mid year spending adjustments as a result of the budget decrease. He said that he noticed that #22, Department of Economic Development will eliminate unencumbered small business grant program, totally \$400,000. He asked the Commission to look at, stating that he did not think that the Commission ever had a \$400,000 grant. Commissioner Sahagun stated that he did not think the other Commissioners had seen the cuts and asked Director Briones if she had seen anything. Director Briones stated that the office had not received anything to date. Commissioner Sahagun stated that he believed the \$400,000 mentioned in the cuts was actually more than the entire budget of the SBC and asked Director Briones to find out where the figure came from and report back to Commissioner Ishimoto. Director Briones stated that she would follow up with the Budget Director and find out what it means. Commissioner Ishimoto asked Director Briones to find out about line item #24 as well. Connie Chan, a member of the public and Central District Coordinator from Neighborhood Safety Partnership, stated that she was present to inform the Commission that they are funded by the Mayor's Office of Criminal Justice and said that they work closely with the police toward crime prevention. She said that they provide service to small business owners, including business security survey, which allows the small business owners to make sure their business, are secured from vandalism and other crimes. She said they would like to discuss working with the Commission and wondered how they might get involved with the Community Outreach Committee. Commissioner Sahagun asked how much funding they receive from the Mayor's Office and what they do with the funds? Ms. Chan stated that they offer a number of services city-wide to a number of communities, of which one is the small business. She stated that they promote police community relations forums, which allow the local citizens to come to the meetings and voice their opinions and their concerns for the communities. She said that the small business security survey is just one service that they provide. She said that this involves a professional surveyor that goes out to the small business location and conducts a walk through of the business offering suggestions to improve safety. Commissioner Sahagun requested to get Ms. Chan's phone number, which she offered. Commissioner Thigpen asked Ms. Chan if her organization had been involved with Commissioner Shawn Elsbernd's Office with respect to his proposed graffiti ordinance. Ms. Chan stated that she had not, however, she stated that they provide referrals for small business owners who may have issues and don't know where to go to get help. Commissioner Alberts invited Ms. Chan to the next Community Outreach Committee and suggested that the organization be a link on the SBC website. Commissioner Ishimoto stated that he is Chair of the Budget and Economic Development Committee and said that one of the things they want to do is to find out what the business needs are in the various areas. He said that their survey would be very helpful to them in the future. Scott Hauge of the Small Business Advocates said that he had two items to speak on, the first he said was a question regarding an ordinance being proposed by Supervisor McGoldrick, which had to do with 20% of good and services on city contracts go to small businesses. He said he was curious to know if this has come up before the Small Business Commission. He said he had just heard of it and suggested that the Commission look into it, because he said he thought it may have had its first reading at the Board. He said that the second item had to do with a memo that he received from Mike Hall, the regional advocate for small businesses from the SBA. He said Mr. Hall is asking for input on new regulations for the American's with Disabilities Act and suggested that the Commission look into those and make recommendations back to the SBA. Commissioner Ventura asked if the first piece of legislation had indeed had not come before the SBC he would be more than happy to look into it. Director

Briones stated that she had not recalled seeing that in the legislation introduced, but said that she would follow up with Supervisor McGoldrick's Office.

Item 4- Review and Possible Action on Proposed Legislation to Create Interim Zoning Controls for Lower Potrero Hill. Presentation by Greg Assay, Legislative Aid to Supervisor Sophie Maxwell (Discussion/Action Item)

Greg Assay of Supervisor Sophie Maxwell's office stated that he came before the Commission several weeks ago to talk about legislation they were proposing at that time to create a back street business advisory board. He said they were able to incorporate some of their suggestions into the legislation, specifically to add a seat to the advisory board specifically for a member of the Small Business Commission. He said the legislation passed the Board of Supervisors on its first reading and it goes up for second reading at the next board meeting. He explained the legislative process, stating that after the Board passes it will go to the Mayor. Once he signs it, it becomes law thirty days after that. At that point he said they would be asking the Commission to appoint either a member, stating that Commissioner O'Connor has showed interest in sitting on the advisory board. He went on to state that he had requested to today because they see this as a second piece of business legislation that they are putting forward and said that he would speak quickly to it. The legislative intent is twofold, stating that if you look at the legislation, there are really two sections to it. The first is to create interim zoning controls for the area of lower Potrero Hill and parts of Showplace Square for a period of one year. The second element of the legislation is to mandate real timelines for the Planning Commission to finish their environmental review of the different alternatives that are currently out there for permanent zoning controls for the area, and then to bring it to their Commission for a vote before bringing it before the Board of Supervisors. He provided some context by stating that for the Eastern neighborhoods in the last couple years there has been a community planning process under way, and has specifically focused on the industrial areas of the city and Planning's M1 and M2 districts. He said that this is where industry has traditionally located. He said they call it the Wild West of zoning because you can do pretty much anything from housing to a power plant and anything in between. The purpose of the community planning process has been going on for the last couple years was to look at those areas, the M zones of the city, talk about which areas are appropriate to switch over to housing and which areas should remain as areas for jobs for industry and to protect those areas from other types of development which would seek to displace it. He talked about the height of the Dot Com boom which allowed a lot of the dot com offices and the live/work lofts that located in the M zones of the city and pushed businesses out of the area, creating land use conflicts. He said through the planning process they are trying to come up with real planning that creates areas for jobs and areas for housing. Unfortunately, it has been a long process but they think they are getting close. He said there are various proposals for permanent zoning controls, which are at the place now where all they need is for the planning department to initiate and complete their environmental review of the different options. He said that it should take about a year and then it would go to the Planning Commission for a vote before going before the Board of Supervisors for their vote on what the permanent zoning controls should be. However, he stated that in the interim, they are seeing the kind of development pressures on these areas akin to what it was during the dot com boom and what it is right now is market rate high density housing in some of the areas. He said that the net impact of that is that unfortunately they are seeing business displacement, stating that perhaps the Commission was aware that about six weeks ago the Chronicle ran a story about Anchor Steam Brewery, which of course is a historic fixture in San Francisco, adding that it is located in the area that this legislation would address. He said that there is housing proposal right up against Anchor Steam Brewery and again it gets back to land use conflicts, which he said happen quite frequently in their district, adding that business loses every single time. If you have conflicts between housing and business, it is business that winds up losing, which is

why he said real planning is needed. He mentioned a small business recently lost, Potrero Gardens, stating that it was a really neat nursery on 17th St. whose lease expired and the landlord would not renew because he was land banking waiting for housing to come. He said that has spent the last couple weeks walking around the area and said that it is almost entirely small businesses, adding that it's a lot of what he talked about last time, back street businesses that don't have advocates for them and they are feeling the pressure. He said a lot of them are being told that they will at the end of their lease, be asked to leave so that the land owner can move in a different use. He said that what they are trying to do is to encourage the high end industries, but also encourage the industry that support them and that's the purpose of the legislation. He gave an example of a business named Economy Restaurant Supply, which are in the area of lower Potrero Hill. He said that Economy Restaurants Supply provides restraint fixtures to over 90% of restaurants in San Francisco. Finally he stated that the area that they are talking about is really neat and vibrant in terms of the business clustering, stating that the purpose of the control is to basically to cool the speculation that is forcing businesses out for the one year until we finish the permanent zoning controls that would offer real protection to these businesses instead of what we have today which is really the market dictating which way the area is going to go and what we are seeing is the market is forcing out a lot of businesses. He offered to answer any questions and asked for the Commissions support of the legislation. He said it would be going to the Board of Supervisors in the near term. Commissioner O'Connor applauded Supervisor Maxwell and her staff for developing this and working on it and reaching out to the businesses that are within their district. He said the light industrial businesses should be protected, because he said they are support businesses and the area really has a lot of them, adding that many businesses were lost in the past five years. He said that while housing is important, it is the job of the Commission to defend and fight for small businesses. Commissioner Ishimoto asked if this would help Anchor Steam. Greg Asay responded that it would, stating that what it would do is make conditions related to the housing development that is pressuring Anchor Steam so it's less economically feasible to come in through the period of this one year. He explained that they are trying to temper the land speculation adjacent to them. He said that Anchor Steam is 90% better off than most of the businesses in the area because they own their land, but what they are unable to do because of the controls is to expand their operations. Commissioner Sahagun stated that having grown up in that area, he knows the area pretty well, stating that it is a great area. There are a lot of homes there that have been built and have been lived in for many years, adding that people have been there for generations and they live right along side like business or commercial business. He said there were neighborhoods with their own shopping district etc., no real parking problems etc. He said what really screwed everything up was the live/work loft proliferation that occurred. He asked how this legislation would address some of these problems that occurred over the last 10 years or so. Greg Asay stated that the fundamental difficulty with live/work lofts, which is the same thing that is happening now, is that they are not planned. He said that it is not housing vs. jobs, but if it is planned then you get the right kind of housing that accounts for transportation and parking and community center and parks and retail center etc. He said what is happening right now is that there is a housing development right in the middle of an industrial area and it impacts the neighborhood. He said that what they are talking about is holding the line until they could finish planning, adding that when they do planning they could do population projections, look to see how much transit is needed to meet the needs etc., adding that it is not happening right now. Commissioner Sahagun asked how the residents feel about the plan. Greg Asay stated that they got an endorsement overwhelmingly by the Potrero Boosters Neighborhood association as well as a Coalition to Save Potrero Hill, which has endorsed them as well. He said he presented to Potrero Merchants but said that they did not have it as an action item, but it will be an action item on their next meeting scheduled for the next day. However he said that their committee that reviews legislation had unanimously supported the legislation as well. Commissioner Ishimoto stated that he was very

impressed by this, especially in an area of the City where there is so much potential to save what is still there. Commissioner Thigpen asked if this item had been brought before the Planning Commission. If it had not, she offered to come on behalf of the Commission to offer their action. Greg Asay said that they have talked to Planning staff and had communicated this to specific Commissioners, adding that the legislation had been transmitted to them as well; however he did not believe it had been calendared yet. He reminded the Commission that this would be up before the Board of Supervisors in the next couple week and said that he would love the Commission's support at that time. Commissioner Sahagun asked about property on Mariposa and 17th. He wondered what the plans for that property were. Greg Asay stated that it is mixed use residential housing with some commercial at ground. Scott Hauge a member of the public stated that he personally supports the legislation and hopes that the Commission will pass it. He also asked if there were any opposition to the legislation and if so who the opposition is coming from. Greg Asay stated that the opposition that has been communicated to their office is exclusively from land use developers who are concerned that the controls would limit their ability to put market rate housing in the area. Commissioner Sahagun recommended that they continue to work with the business groups in the area as they go forward with the legislation.

Action: Commissioner Thigpen made a motion to approve the legislation. Commissioner O'Connor seconded. Unanimous approval from the Commission.

Item 5 - Review and Possible Action on Proposed Ordinance amending the San Francisco Administrative Code to create the Mayor's Office on Disability and place it within the Department of Administrative Services (File No. 041487). Presentation by the Office of Supervisor Alioto-Pier (Discussion Possible Action Item)

Item tabled for lack of representative from Supervisor Alioto-Pier's Office.

Item 6-Review and Possible Action on Proposed Ordinance regulating Computer Rental Businesses (File No. 041488). Presentation by the Jaynry Mak, Legislative Aid to Supervisor Fiona Ma (Discussion/Action Item)

Jaynry Mak of the Office of Supervisor Fiona Ma stated that the legislation that is before the Commission basically imposes conditions and standards upon the operators of businesses that rent computers for the use on the premises. She said that these are the businesses that someone would pay anywhere from \$8-12 per hour to rent the use of these computers for computer gaming. She said that the legislation would prohibit minors from playing in the businesses between school hours during the weekday, that being from 7AM-3PM and also from 10PM to 7AM, with a one hour extension on the weekends. It would also require the business to post a sign with the store hours and at least one attendant per every 25 computers. She said it would also authorize the Police to enter and inspect the computer rental businesses. She said that the legislation came to them after multiple complaints from teachers, principals and parents who say that a lot of the students are cutting class to hang out at these computer rental businesses for gaming purposes. Commissioner Thigpen asked if the word games or playing computer games is defined elsewhere in the statute because they have to make sure that lawful use of the computers is not lumped in with that. She suggested that they may want to consider defining it elsewhere in the statute if it is not already defined. Jaynry Mak stated that she had gone through the legislation carefully with the City Attorney, stating that it does specifically state that allowing minors to use joy sticks game pads and other game controllers, or renting time for the purpose of playing computer games. She said that the term computer gaming is a term that is recognized by anyone who does it. Commissioner Thigpen said that this was fine so long as the City Attorney OK's it, adding that the City Attorney makes

mistakes however and said that it is an issue. She said that the terms in a statute must be defined otherwise there are issues with compliance. She also spoke to the loitering section and asked if it had been reviewed for constitutionality. She stated that she agreed with the legislation, but she wants to make sure that it doesn't get overturned on a technicality. Jaynry Mak stated that she would have the City Attorney re look those two areas. Commissioner Ishimoto asked if there would be penalties for the juveniles themselves who violate the Ordinance. Jaynry Mak stated that they put the responsibility of this on the business owner, stating that they would have notice and should post the signs in their windows indicating that no minors are allowed, thus the purpose for having the one attendant per every 25 computers. Commissioner Ishimoto stated that he felt that there should be something in the statute that would penalize the juvenile as well. Jaynry Mak said that she would be happy to bring that suggesting back to the Supervisor. Commissioner Sahagun asked what the penalty is for the business owner. Jaynry Mak stated that there is an infraction punishable by a fine ranging from \$100 to \$1000 depending on the number of violations. Commissioner Alberts spoke out against the legislation, stating that it is an intrusion and inappropriate for business owners to have to monitor children's activities. She said that she does not think that anyone should have to hire additional employees in order to do this, stating that it is a hardship on the business owner. Commissioner Ventura asked if there is a way to state that there should also be a penalty toward the guardian of the child. Secondly he asked about the two businesses currently conducting this type of business in their district. He asked how many employees these businesses have. Jaynry Mak answered that they have one employee that they know of, adding that they plan to do outreach to these businesses etc. Commissioner Ventura said that the business owner is probably the one running the business and said that he did not think it would be fair to place another burden or penalties on a business owner who is simply trying to run a business. He said the penalties should remain with the guardian or the juvenile. Commissioner Sahagun said that small businesses are always being picked on. He said it did not seem right to place responsibility on the small business person if the kids are not in school during school hours when they are supposed to be. He said why not put the burden on the principle? Commissioner Ishimoto said that unless all responsible adults share in the correction action part of this equally, then it is manifestly unfair to direct this entirely toward small business owners. Commissioner O'Connor asked if the two business owners in the district currently operating computer rental businesses had been brought to the table while the legislation was being drafted. Jaynry Mak stated that when they started drafting the legislation they pulled up former Supervisor, now Assemblyman Leland Yee's legislation, which also regulated computer rental businesses, stating that they changed it a lot and said that they did have contact with the two businesses and said that they do expect them to come to the meeting when the meeting is scheduled before the Board of Supervisors. Commissioner O'Connor stated that it seemed to him that if there were only two businesses in question, that it wouldn't be that difficult to have involved them in the process of helping to draft the legislation, versus inviting them to the hearing before the Board after the draft legislation has been written. He said he agreed with the proposed ordinance because he said he feels that if a kid is visiting a business for an extended period of time, the business owner could/should play a role in society to support the schooling of the kid and the school system. Jaynry Mak said that they only knew of two businesses within their district, but said that citywide they don't know how many businesses exist. Commissioner Ishimoto stated that back in the day they used to have a Police Officer that monitored if kids were skipping school and he/she was responsible for telling them to get back to school or face being suspended, rather than writing a law that would fall solely on the shoulders of the small businesses. Jaynry Mak said that she welcomed all their comments and said that she would take their comments back to the Supervisor and see where she wants to go with them. Commissioner Sahagun thanked Ms. Mak for coming before the Small Business Commission. Stephen Cornell, a member of the public stated that he like Commissioner O'Connor seems to favor something like this, but said that he is concerned with the penalties because if there

is only one employee it is hard for them to do it all.

Action: Commissioner Ventura said he liked the base of the legislation but said that he did not like the penalties. He recommended that Supervisor Ma reconsider the penalties to be more in line with those of the issue of truancy. Commissioner Sahagun said he would like to expand on this by stating that Supervisor Ma work with the Legislative Committee once they get into that phase of it. Commissioner O'Connor seconded. The recommendation passed with a 4 to 2 vote. Commissioner Ishimoto and Commissioner Alberts voted against it.

2nd Action: Commissioner Ishimoto stated that after conferring with his colleague, they would like the Commission to take a position that this issue was essentially one of truancy not one of small business responsibility for that truancy. Commissioner Alberts seconded the amendment. The motion passed 4 to 2.

Item 7 - Legislation and Policy Committee Report. Report by Richard Ventura, Chair (Discussion/Action Item)

Commissioner Ventura stated that they are still discussing the definition of small business, but said that they have a partial recommendation. He said that information that they received from the Human Rights Commission defines small business in certain categories based on average gross annual receipts over a three year period. He said that they are more toward the construction field, adding that they include material equipment and general suppliers and average of 7 million; professional services an average of 2.5 million; public works and construction an average of 14 million; specialty construction contractors an average of 7 million; telecommunications an average of 5 million; and trucking an average of 3.5 million. He said that they think that this is a good base from where to start, however there is still a lot of business categories still missing. He said that they would like to recommend that they at least follow what the HRC is using thus far and look at what other areas they would like to define, like retail, restaurants, wholesale, and hotel etc. He said that what they will do is to work closely with the Treasures Office and the Controller to see if they could create reports that will help better define these components. Commissioner Sahagun said this sounded wonderful, and asked if it would be possible to ask Director Briones to find out how other jurisdictions define small businesses in the different trade classes that were just mentioned. Director Briones stated that she could do that. She also added that at the committee meeting they did identify that the Controllers office is working on trying to collect data on small businesses and said that she would be following up with Todd Reistrom of the Controllers Office to collaborate better with the various city departments that are collecting this information. Stephen Cornell, a member of the public said that this is something that each commission has been struggling with. He said that in the last few years they had a person in the business community that has volunteered to produce some of this data and given it to the Commission. He said that this was Rosalie Bulach of Name Finders List Inc. He said that she provided a computer disc and a binder and said that if it could not be found he could look for his copy and or Ms. Bulach may be happy to provide it also. Commissioner Ventura asked when the information was compiled. Stephen Cornell said that the information is roughly 2-3 years old. Scott Hauge, a member of the public stated that for those of the Commission who read Kent Sims study, he said that they used the States definition which was less than 100 employees, which conforms to the state of California. He cautioned the Commission on being too restrictive on the definition, stating that they cut outside of the parameters of what you are setting. He said it was important policy for you to decide and cautioned the commission on being too restrictive. Commissioner Sahagun said perhaps not rushing into anything and having public hearing to bring other businesses in to help clean it up. Commissioner Ishimoto added that the data that Rosalie has is probably from the US Department of Labor and

is probably updated quarterly. Commissioner Alberts echoed Mr. Hauge's remarks about not being too restrictive; adding that she believes the SBA's numbers of 200 is not a bad number and said that they have reasons for having it. She said that there are a number of small businesses doing outsourcing where in fact they have a great number of employees of different kinds and they are very small businesses. Commissioner Ventura stated that they will bring recommendations back to the full commission for a vote.

Item 8 - Community Outreach Committee Report. Report by Florence Alberts, Chair (Discussion/Action Item)

Commissioner Alberts stated that they have been very busy, including some activities and a couple meetings. She said that there is a website subcommittee that gave direction and input and advice in regards to the website to staff. She reported that staff has met with DTIS and are making great progress to re-launch a revamped website. She said the Commission still faces the huge task of publicizing the website. She said it will be following the recommendations of all the people who have attended the meeting and indicated that the Commission should really be a clearinghouse of information and referral. She referred to Agnes for an update on the calendar aspect of the website. Director Briones stated that the calendar is a feature that could be added to the website and staff would continue to work with DTIS to incorporate a calendar that will likely require update by Commission staff to the website. Commissioner Alberts stated that once the website is ready there will be a demonstration of it at the next Community Outreach Committee meeting. Furthermore she reported on Shop Outside the Box and said that despite discussions pertaining to encompassing more small businesses than just manufacturers, and changing the name due to objections voiced to its implications, the event will unfortunately not change because of various objections to changing it. She said that it is due to the conclusions that there is neither sufficient time, or funds to change it. She said that the Press Releases went out by Davis & Associates, adding that nominees are still needed, stating that according to Davis & Associates, the Commissioners have not nominated anyone to date. Finally she reported on the business survey, stating that it is to serve many different functions, primarily to find out what the businesses want and need from the Commission through the Committee. She reported that Al Dixon and Dr. Richard McCline have all contributed to this effort, and she thanked them for their support. She reported that the Committee will begin discussing Small Business Week events at the next COC meeting on the 16th of December.

Item 9 - Vice President's Report -allows the vice president to report on recent small business activities and make announcements (Discussion/Action Item)

Commissioner Ishimoto reported on the budget stating that the news is dismal. Before continuing with this report he requested for the Commission to recognize Martha Yanez for all her assistance during a period of transition when she was the only continuity at the Commission. He recommended that a plaque of appreciation be presented to Martha at the Shop Outside the Box event. Commissioner Thigpen seconded and added that it be a surprise. Unanimous approval from the Commission. He said that the Budget Committee had their inaugural meeting last Thursday and they set their standing meeting times for the first Thursday of the month at 5:30PM. He stated that the mission statement is rather ambitious due to the fact that it includes both budget and economic development. He reported that budget cuts are eminent and said that it is not full clear yet. However he did state that there is now a provision to make a declaration of a state of economic emergency. He also stated that in the old mission statement there is a provision to consult with the president of the Commission for items that are \$10,000 or more and said that something needs to be hammered out. On the economic development portion he said that while it was

just a thought, from his conversations with people in the small business community, it sounds like the Commission should really have a bi annual report on the state of economic health of the small businesses in San Francisco. He said it would be comprehensive and integrate existing data with any new data. He said there would be a significant cost, but said that the Committee felt that it was an essential thing to do in order to fully take economic development responsibilities on responsibly. He said it would also serve as a future roadmap for the commission in accessing the needs and next steps of the Commission. Finally he said that they would work on developmental projects, consider requests for funding although in the current budget he said there may not be funds for available for this, the Commission should still develop guidelines for the future. He said that they would like to get input from the Commission and the small business community as to the needs of small businesses. He said that he added a provision for an advisory committee. He said that the Commissioner should establish a policy that in all contracting that the SBC does, small businesses be given equal opportunities for contracts. He said that the budget consist of three basic categories including personnel, operating costs and discretionary funding, of which personnel, can not be touched. He said that the discretionary funds, which last year were estimated at \$193,000, may be much smaller in this budget. He said that the Commission needs to establish it's priorities and said that he hoped to accomplish this at the retreat, scheduled for December 4, 2004. He went on to talk about the operating costs of the Commission, including training and conference costs, travel, etc. He requested input from the committee chairs as well as individual commissioners regarding their budget needs. He said this was important because this was not addressed in the previous budget, and said he had created categories based upon common sense that other legislative and executive bodies do. Commissioner Sahagun requested to get a copy of the budget and to review it at the retreat. Commissioner Ishimoto agreed, but reported on a couple action items they approved. He said they approved printing for the following: Getting a Business Started book, sbfzinfo inserts, commission banner, and table cloth and podium logo marker. He reported that they voted to approve \$6,000 for any additional Shop Outside the Box event fees, including location fee and Abbey Rents.

Item 10-President's Report -allows the president to report on recent small business activities and make announcements (Discussion Item)

Commissioner Sahagun stated that he did not have an official report, but he thanked all the Commissioners and staff for a job well done.

Item 11- Director's Report - allows the director to report on recent small business activities and make announcements (Discussion Item)

Director Briones gave a brief update on the status of the report and said she was able to meet with Gary Koenig, an excellent facilitator she said and someone that she had used in the past. She said she had met with him and had invited him to come and introduce himself to the Commission. Gary Koenig stated that he has an MBA in organizational psychology and said that this is the kind of stuff that he does. He said it is really going to be about the Commission getting clearer about what they want to do. He said there will be times that he will provide his opinion, but he said it is really about what they want to do and said that he hopes they can define some clear objectives for what they want to get at the end of the day, and said that it kind of sets the tone for them working together. Director Briones stated that Gary had agreed to meet with Commissioner Sahagun and herself to work out an agenda and structure for the retreat. She also provided a brief update on Commission activities, stating that staff attends a number of meeting, including the DBE meetings. She said that the HRC will want to engage in joint hearing with the SBC in the future, and said that the Commission would be involved in getting the word out to the public. She reported that the Mayor's has set up cluster groups and said that one of them is the

neighborhood development cluster, which meets every other Thursday and is composed of the Mayor's Office of Community Development, the Office of Contracts Administration, the Human Rights Commission, the Small Business Commission, the Mayor's Office of Economic and Workforce Development and a number of other city departments that address economic and community development meet to address what activities are going on in their various city departments to ensure that efforts are not duplicated and no fragmentation. She reported that staff is also involved everyday serving as ombudsman to various constituents. She reported that she also meets with a number of merchants associations, most recently the Laurel Village Merchants Association. She said that they are concerned with parking and many of the other small business concerns. She reported that she put together a summary of what each of the commissioners does and distributed it to them. She also said it was important for the Commission to know what staff does and she hopes to update them more often, as well as provide a description to each of them of staff duties. Commissioner Sahagun requested to obtain a monthly summary of events attended by staff representing the Commission. He asked that it be sent to Commissioner Ishimoto because he is interested in Human Resources. Commissioner Alberts requested to also have a copy of the summary.

Item 12 - New Business -allows the Commissioners to introduce new agenda items for future consideration by the Commission (Discussion Possible Action Item)

- Commissioner Thigpen requested to calendar an item for the next agenda, that being for the Commission to consider adopting a code of regulations for merchants associations. She said that the Council of District Merchants has one and she thinks it is a good idea. Commissioner Ventura stated that we would like to calendar a discussion and possible action item looking to define small business.

Item 13 - General Public Comment -allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (Discussion Possible Action Item)

- Non e

Item 14 - Adjournment (Action Item)

Action: Commissioner Alberts made a motion adjourn. Commissioner Thigpen seconded. Unanimous approval from the Commission. The meeting was adjourned at 7:30PM.



City and County of San Francisco



SMALL BUSINESS COMMISSION

**Notice of Meeting & Agenda
For**

Monday, December 13, 2004

City Hall, Room 400 @ 5:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

COMMISSIONERS:

David Sahagun, President
Norman Ishimoto, Vice President
Florence Alberts
Michael E. O'Connor
Dr. Raye Richardson
Jordanna Thigpen
Richard Ventura

DOCUMENTS DEPT.

DEC 13 2004

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Agnes Briones, Executive Director
Commission Secretary, Martha Yañez

1 DR. CARLTON B. GOODLETT PLACE, ROOM 436 SAN FRANCISCO, CALIFORNIA 94102

(415) 554-6134

SF
553
#1
12/13/04

1. Roll Call for the December 13, 2004 meeting of the Small Business Commission
2. Approval of the November 8, 2004 Small Business Commission meeting minutes (Action Item)
3. General Public Comment –allows members of the public to comment generally on matters within the Commission’s purview, as well as to suggest new agenda items for the Commission’s future consideration (Discussion Possible Action Item)
4. Review and Possible Action on Proposed Ordinance amending the annual appropriation ordinance by reducing appropriation to the Convention Facilities Management Visitors Bureau for professional services by \$3,660,000 from \$7,321,000 to \$3,660,000 for Fiscal Year 2004-05, reducing the allocation of Hotel Tax authorized by the Administrative Provisions Sections Section 11.11 for the Convention and Visitor Bureau for Fiscal Year 2004-05. Additionally, reducing a total of appropriation from the Department of Economic and Workforce Development of \$305,976 for the Fiscal Year 2004-05 (File No. 041585). Presentation by Jesse Blout, Director of the Department of Economic and Workforce Development, and John Handlery of the Convention and Visitors Bureau (Discussion Possible Action Item)
Explanatory Documents: File: 041585
5. Review and Possible Action on Proposed Ordinance amending Ordinance No. 198-04 (Annual Salary Ordinance 2004/2005) reflecting the deletion of 2.71 full time equivalent (FTE) positions at the Department of Business and Economic Development (File No. 041586). Presentation by Jesse Blout, Director Business and Economic Development. (Discussion Possible Action Item)
Explanatory Documents: File: 041586
6. Review and Possible Action on Proposed Ordinance amending the San Francisco Municipal Code Business and Tax Regulations Code by amending Sections 35, 120, 248, 249.1, and 249.2, relating to fees for licenses or permits for inspections by the Department of Public Health (File No. 041588). Presentation by Rajiv Bhatia, Director of Environmental Health with the Department of Public Health (Discussion Possible Action Item)
Explanatory Documents: File: 041588
7. Presentation on the Department of Public Health’s Green Business Program. Presentation by Virginia St. Jean of the Department of Public Health. (Discussion Possible Action Item)
8. President’s Report –allows the president to report on recent small business activities and make announcements (Discussion Item)
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12. Adjournment (Action Item)

Public Comment will be taken before or during the Small Business Commission’s consideration of each agenda item.

Explanatory Documents: Copies of proposed legislation listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 436. Please call Martha Yanez (415) 554-6134 to make arrangements for pick up or review.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that city operations are open for the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083. To obtain a free copy of the Sunshine Ordinance contact:

Donna Hall, Administrator
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
Office: (415) 554-7724
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Disability Access Policy

Accessible seating for persons with disabilities (including those using wheelchairs) is available. The closest accessible BART Station is the Civic Center station located at the intersection of Market, Hyde and Grove Streets. Accessible MUNI lines serving the Veterans Building are 42 Downtown Loop and the #71 Haight/Noriega and the F line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services call 923-6142. Accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex. American Sign Language interpreters and/or a sound enhancement system will be available upon request by contacting Milton Edelin at 558-6410 at least 72 hours prior to a hearing. Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-8925 to discuss meeting accessibility. In order to assist the city's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the city to accommodate these individuals.

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Small Business Commission >> Meetings

City and County of San Francisco

Small Business Commission



December 13, 2004

CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

MEETING MINUTES (Approved 2/14/05)

Monday, December 13, 2004 5:30 PM

____ Small Business Commissioners ____

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts, Michael O'Connor, Dr. Raye Richardson, Jordanna Thigpen, Richard Ventura

Executive Director - Agnes Briones

Commission Secretary - Martha Yañez

Members Absent: Richard Ventura, Michael O'Connor

Call to order:

Item 1 - Roll Call

The Small Business Commission met on Monday, December 13, 2004 in regular session. The meeting was called to order at 5:43 PM. Commissioners Ventura and O'Connor were absent.

Item 2 - Approval of minutes of the October 15, 2004 SBC Meeting (Action Item)

Item tabled until next meeting.

Item 3 - General Public Comment (Discussion Item)

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Pat Christenson, of the Sunset Merchants Association spoke out regarding the South entrance to Golden Gate garage proposed project. She said that this is a small business issue and will affect small businesses in the area. She submitted a resolution opposing garage entrance inside golden gate park and the widening of the Martin Luther King Dr. to four lanes. Director Briones stated that staff had requested that the sponsoring Supervisor be available to make a presentation and answer questions on this issue, but they were not available. Commissioner Richardson asked who defines "dedicated". Pat Christensen said that a suit was filed and that it was defined by the presiding judge.

Darolyn Davis, of Davis and Associates reported on the Shop Outside the Box event, stating that it was very successful. She said the merchants were very happy and she hopes the Commission considers it next year.

Scott Hauge owner of Cal Insurance on 33rd and Taraval stated that he received a letter from the City stating that he needed to abate graffiti on his building. He said he was aware that the Commission had reviewed the graffiti ordinance, but was wondering what the Commission does to get out information to the public about new requirements or ordinances such as this one. Director Briones explained that once the Commission takes action on a particular item, staff will send a letter or a response to the Clerk of the Board with the action taken.

Item 4&5- Review and Possible Action on Proposed Ordinance amending the annual appropriation ordinance by reducing appropriation to the Convention Facilities Management Visitors Bureau for professional services by \$3,660,000 from \$7,321,000 to \$3,660,000 for Fiscal Year 2004-05, reducing the allocation of Hotel Tax authorized by the Administrative Provisions Sections Section 11.11 for the Convention and Visitor Bureau for Fiscal Year 2004-05. Additionally, reducing a total of appropriation from the Department of Economic and Workforce Development of \$305,976 for the Fiscal Year 2004-05 (File No. 041585) & Review and Possible Action on Proposed Ordinance amending Ordinance No. 198-04 (Annual Salary Ordinance 2004/2005) reflecting the deletion of 2.71 full time equivalent (FTE) positions at the Department of Business and Economic Development (File No. 041586)

Jesse Blout, Director of Economic & Workforce Development walked the Commission through what transpired at the Thursday Board committee meeting. He said the item regarding the CVB was sent to the full Board and the item regarding his department was continued for one week. He talked about the impacts of the proposed cuts to his budget, stating that Supervisor Sandoval is proposing to eliminate 3 positions, which were granted per last year's budget. He provided a work chart showing staff for MOEWD and talked about what they are charged to do including: neighborhood revitalization, community benefits districts, Brown Fields, Hunters Point Shipyard Reuse, Port projects, Phelan Loop, Old Mint, 2 bus yards, and the New Markets Tax Credits. He said that the biggest head scratchier in this is that the Board said that they wanted these 3 people to be brought in with as little general fund money as possible, which he said they were able to accomplish. The total general fund money for these folks is roughly \$27,000. Jon Handlery, General Manager of his family's hotel, said that his family has been in the city for 75 years. He said they employ about 100 people. He said that since 2001 the Convention and Visitors Bureau's budget has been reduced by 1.2 million dollars already. He said that there are 1800 members and said that they get a huge benefit from the CVB and the services they offer them. He said he pays a little over \$6,000 for his membership to CVB, and said that CVB allows him to participate in things that he would otherwise not be able to participate in, including marketing his business around the world. He said that CVB staff travel around the world and promote San Francisco throughout. He said he would not have the opportunity or the time to do this on his own. Commissioner

Richardson asked why San Francisco is not exploited for the simple fact that the UN was born here. Commissioner Thigpen asked who comprises the membership of the CVB. Jon Handlery responded stating that it is not entirely hotels, adding that retail and restaurants are also members. Commissioner Sahagun asked if Mr. Handlery knew of any groups in favor of the cuts. Jon Handlery said that some folks spoke out at the hearings but they too may absorb cuts, so it wasn't so much in direct opposition to the CVB. Stephen Cornell, a member of the public and representing the Small Business Advocates stated that they too wish to oppose the legislation. He asked where is the sponsoring supervisor, stating that he should be here to address the Commission. He urged the Commission to oppose the legislation. Pat Christensen, a member of the public and representing the San Francisco Council of District Merchants Association read a letter from the President, Jim Maxwell into the record. The SFCDMA with all their membership oppose the proposed funding cuts to the CVB. Scott Hauge, a member of the public and speaking on behalf of the Small Business Network echoed the sentiments of those before him and added that this is being called a 25% cut but at this point it is a total cut. There is a 14% hotel tax he said that no one is mentioning. He urged the Commission to support funding of the CVB. Commissioner Richardson said that she felt the Commission had been snubbed by the supervisor and they should not take it. Director Briones stated that they too had been invited to speak but the Commission had received no response. She said this is why it is important for the Commissioners and staff to meet with the Board members. Stephen Cornell, a member of the public stated that there is a motion directing the Clerk of the Board of Supervisors to forward pertinent legislation to the Commission, but he said at least 1, maybe 2 of the Supervisors have decided not to present items to the Commission. Director Briones stated that she would follow up with the City Attorney to find out what legal ramifications can be taken to ensure that the Supervisors be responsive. Commissioner Ishimoto speaking to the proposed cuts to the Department of Economic and Workforce Development stated that it takes money to make money, adding that without people to go out and generate funds, the department will not be able to accomplish their mandate. He said the proposed cuts are counter productive and he urged the Commission to send a clear message to the Board.

Action: Commissioner Alberts made a motion to oppose the funding cuts. Commissioner Thigpen wished to amend the motion to state that the Commission opposes the legislation that would cut funding to the Convention & Visitors Bureau in any amount. Commissioner Raye seconded. Unanimous approval from the Commission.

Action: Commissioner Ishimoto made a motion to whole heartedly oppose funding cuts to the Department of Economic & Workforce Development. Commissioner Thigpen seconded. Unanimous approval from the Commission.

Item 6-Review and Possible Action on Proposed Ordinance amending the San Francisco Municipal Code Business and Tax Regulations Code by amending Sections 35, 120, 248, 249.1, and 249.2, relating to fees for licenses or permits for inspections by the Department of Public Health (File No. 041588)

Rajiv Bhatia, Director of Environmental Health with the Department of Public Health stated that in the Health code there is a requirement that the fees must cover the cost of regulations. He said that department has had fee increases twice in the past, in 1997 and again in 2001. He said that there is an 890 thousand dollar gap from the fees for costs, adding that relative to other jurisdictions, San Francisco has low fees and high cost of staff. He said that the program consists of 35 people inspecting 6,500 businesses, adding that they are also doing a lot more, including tattoo, massage, and tobacco permits and inspections, all of which are new, with the same number of staff. Commissioner Thigpen asked who had requested the new

programs. Rajiv Bhatia stated that Supervisor Maxwell had been the sponsor of the new Tobacco legislation, while the massage program had been transferred from the Police Department to the Health Department. Commissioner Richardson asked how often restaurants were inspected. Rajiv Bhatia responded stating that if there are no violations, each one will be visited 3 times per year. Commissioner Ishimoto asked how the Golden Gate Restaurant Association feels about the proposed ordinance. Rajiv Bhatia stated that they did not have any comments at the Board except to say when the re inspection fee would be triggered. Commissioner Thigpen asked how the new restaurant grading would affect the fees or staff. Rajiv Bhatia responded stating that the new program would not affect the fees because each new program would recover the costs in the fees. Stephen Cornell, a member of the public stated that the ratio of businesses inspected to inspectors did not add up and asked why San Francisco pays their inspectors more than the surrounding areas. Rajiv Bhatia responded stating that there are 5 clerical positions, 6 manager positions and 25 inspectors. He said that the average inventory is roughly 325 for this staff. He said that they don't control the salary aspect, but said that San Francisco has a higher cost of living than most surrounding areas. He said that they track newly opened and closed restaurants and said that in the past 10 years the numbers have not fluctuated, which tells them the fee increases have not affected the industry to a great degree. Commissioner Sahagun asked if the weights and measures division is in the Bureau of Environmental Health. Rajiv Bhatia stated that it was and had been since September 1, 2004. Commissioner Sahagun stated that in the past, only one person would come out to do this inspection, and said that a couple weeks past, 2 people had come out and he said it seemed to him that one didn't do much.

Action: No action was taken

Item 7 - Presentation on the Department of Public Health's Green Business Program (Discussion Possible Action Item)

Virginia St. Jean of the Department of Public Health's Green Business Program stated that the program is a certification program. She stated that she was trying to show businesses how to use fewer chemicals and found out that they really do not want to use chemicals. She said that they are pulling many agencies together and they are going out not so much to issue citations, but rather to work with businesses and educate them on compliance and show them how to save energy all the while. She said that they want to continue with the program, stating that businesses really like it. Commissioner Sahagun reported to Rajiv Bhatia that his business is a better business because of the program and he commended Ms. St. Jean for her outstanding work with the small business community via the program. He stated that the Commission may want to post information about the program on the website. Commissioner Thigpen requested that SBC staff get logo to DPH to begin the partnership with them.

Action: Commissioner Thigpen made a motion for the Commission to partner with the Department of the Environment on their Green Business Program & Certification. Commissioner Alberts seconded. Unanimous approval from the Commission.

Item 8-President's Report -allows the president to report on recent small business activities and make announcements (Discussion Item)

Commissioner Sahagun reported that the Community Outreach Committee had established a website subcommittee and with the help of staff working with DTIS and volunteers of Jungle Communications, they had recently launched a re-designed website. He mentioned Shop Outside the Box and said that the Commission had provided customer satisfaction cards at the event and said that they would be tallied

and a report given at the Community Outreach Committee meeting scheduled for Thursday, December 16, 2004. He reported that the Community Outreach Committee would be planning events around small business week, which was scheduled for April 25-29, 2005. Commissioner Ishimoto reported that Director Briones had been tracking the evolution of the DBE ordinance and said that it would become very critical. He reported that only one commissioner had submitted budget input. Commissioner Sahagun stated that he would like the Commission to have a better understanding of their goals and objectives.

Item 9- Director's Report - allows the director to report on recent small business activities and make announcements (Discussion Item)

Director Briones gave a brief update on the status of the retreat, stating that it was officially scheduled for January 21st. She reported on the DBE ordinance, stating that it was likely to be heard at the Board of Supervisors in January and that she had been advocating for a hearing to be had on the issue at the Small Business Commission. She reported that she had confirmed Treasurer Jose Cisneros to make a presentation to the Commission at the January 10, 2005 meeting, and said that the State Franchise Tax Board would also be presenting at the January meeting.

Item 10 - New Business -allows the Commissioners to introduce new agenda items for future consideration by the Commission (Discussion Possible Action Item)

- Commissioner Sahagun briefly went over the contents of the retreat agenda, stating that the Commission would really be focusing on coming up with goals and objectives for the year. He said that they would be looking at the role of the Commissioner and staff. Commissioner Richardson stated that she was concerned for the Commission's political involvement, stating that they went on record in opposition to Proposition K. She said it was a political decision and said that she would like follow up on any political decision that the Commission makes, adding that the Commission ought to convey their position to their constituency when it comes to political decisions. Commissioner Sahagun stated that the Commission should attempt to mend fences by inviting the Mayor to the retreat. Commissioner Thigpen suggested inviting 2 members of the Board of Supervisors to present an award at each Commission to businesses within their district. Commissioner Sahagun suggested that the Commission meet in a retreat and then formalize a plan.

Item 11 - General Public Comment -allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (Discussion Possible Action Item)

- None

Item 12 - Adjournment (Action Item)

Action: Commissioner Richardson made a motion adjourn. Commissioner Thigpen seconded. Unanimous approval from the Commission. The meeting was adjourned at 8:15PM.



City and County of San Francisco

SMALL BUSINESS COMMISSION

Notice of Meeting & Agenda

For

Monday, January 10, 2005

City Hall, Room 400 @ 5:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

DOCUMENTS DEPT.

COMMISSIONERS:

David Sahagun, President
Norman Ishimoto, Vice President
Florence Alberts
Michael E. O'Connor
Dr. Raye Richardson
Jordanna Thigpen
Richard Ventura

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Agnes Briones, Executive Director
Commission Secretary, Martha Yañez

1. Roll Call for the January 10, 2005 meeting of the Small Business Commission
2. Approval of the December 13, 2004 Small Business Commission meeting minutes (Action Item)
3. General Public Comment –allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (Discussion Possible Action Item)
4. Department of Parking and Traffic Enforcement Division. Presentation by Bond Yee, Executive Director of Department of Parking and Traffic (Discussion / Possible Action)
5. California Franchise Tax Board's Tax Amnesty Program. Presentation by Gary Baley, Franchise Tax Board (Discussion / Possible Action)
6. San Francisco Collaborative Project – Technical Assistance Program for Small Businesses "How to Minimize the risk of ADA – disability access related lawsuits against San Francisco small businesses." Presentation by Herb Levine, Executive Director, Independent Living Resource Center of San Francisco (Discussion / Possible Action)
7. Legislation and Policy Committee Report. Report by Richard Ventura, Chair (Discussion / Possible Action)
 - Approve the Nomination of Michael E. O'Connor as the Small Business Commission appointee to the Back Streets Advisory Board
 - File No. 041741 [Ordinance amending San Francisco Planning Code by amending Section 715.48 and Section 721.48 to provide the existing bars in the Castro Street and Upper Market entertainment permit from the Entertainment Commission without obtaining conditional use authorization from the Planning Commission if they can demonstrate to the satisfaction of the Entertainment Commission that they have been in regular operation as an entertainment use prior to January 1, 2004; adopting findings.]
8. Community Outreach Committee Report. Report by Florence Alberts, Chair (Discussion / Possible Action)
9. Vice President's Report – allows the vice president to report on recent small business activities and make announcements (Discussion / Possible Action)
10. President's Report – allows the president to report on recent small business activities and make announcements (Discussion / Possible Action)
11. Executive Director's Report –
 - Small Business Commission Retreat, January 21, 2005 (SF Chamber of Commerce Boardroom)
 - Administrative Updates / Follow-up
12. New Business –allows the Commissioners to introduce new agenda items for future consideration by the Commission (Discussion Item)
13. General Public Comment –allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (Discussion Item)
14. Adjournment (Action Item)

Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.

Explanatory Documents: Copies of proposed legislation listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 436. Please call Martha Yanez (415) 554-6134 to make arrangements for pick up or review.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Adele Destro by mail to Interim Administrator, Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by phone at 415 554 7724; by fax at 415 554 7854; or by email at sotf@sfgov.org.

Citizens interested in obtaining a free copy of the Sunshine Ordinance can request a copy from Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, <http://www.sfgov.org/sunshine/>

Cell Phone and/or Sound-Producing Electronic Device Usage at Hearings

Effective January 21, 2001, the Board of Supervisors amended the Sunshine Ordinance by adding the following provision: The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Disability Access Policy

Accessible seating for persons with disabilities (including those using wheelchairs) is available. The closest accessible BART Station is the Civic Center station located at the intersection of Market, Hyde and Grove Streets. Accessible MUNI lines serving the Veterans Building are 42 Downtown Loop and the #71 Haight/Noriega and the F line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services call 923-6142. Accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex. American Sign Language interpreters and/or a sound enhancement system will be available upon request by contacting Milton Edelin at 558-6410 at least 72 hours prior to a hearing. Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-8925 to discuss meeting accessibility. In order to assist the city's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the city to accommodate these individuals.

Translation Services

Interpreters for languages other than English are available on request. Sign language interpreters are also available on request. For other accommodation, please call the Department of Human Services staff support representative at 557-5989 at least two business days before a meeting.

Lobbyist Ordinance

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by San Francisco Lobbyist Ordinance [Article II of the San Francisco Campaign and Governmental Conduct Code] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 30 Van Ness Ave., Suite 3900, SF 94102 (415) 581-2300, FAX (415) 581-2317 and web site address at <http://www.sfgov.org/ethics/>.

Chemical Sensitivity

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical base products. Please help the City accommodate these individuals.

Access to San Francisco Small Businesses

A Problem for Customers with Disabilities

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**San Francisco Collaborative
C/o Independent Living Resource Center
San Francisco
649 Mission Street, 3rd Floor
San Francisco, 94105**

Access to San Francisco Small Businesses a Problem
For Customers with Disabilities or
Risk Management Approach to Small Businesses Failing

In 2002 and 2003 hundreds of lawsuits were filed against San Francisco small businesses. These lawsuits were for violations of long-standing state and federal laws requiring accessibility to customers with disabilities. Doorways were not wide enough for persons using wheelchairs. Doors were impossible to open by individuals with mobility impairments. Sales space was difficult to navigate.

Reports from the small business community indicated that lawsuits were being settled for \$10,000 to \$20,000 each. In addition, modifications for accessibility were usually, but not always, made. Advocates in the disability rights community joined small business people to find a collaborative solution.

A proactive, risk management approach was taken in San Francisco: act preemptively to avoid litigation by increasing accessibility to customers with disabilities. Information about legal requirements for accessibility was offered to small businesses. Outreach was extensive and varied in approach. Money was made available to small businesses to pay for accessibility surveys, proactively, and for modification planning.

Eighteen months after a collaborative effort began in San Francisco less than 3% of those offered information responded. Less than 2/10% requested funds for accessibility surveys or modification planning.

Litigation has achieved greater compliance with state and federal law, greater accessibility than a non-litigious collaborative approach.

How did this happen? Where do we go next?

The Situation

If state and federal laws requiring accessibility have been around for well over a decade, how did we arrive at the current state of affairs?

To begin, we must recognize that access to businesses is a **civil right** for people with disabilities. Next, we must understand that these laws are not capricious but well thought out.

State building code (Title 24) requires accessibility in new construction and modifications of existing property only when a certain level of alteration or remodeling occurs. Permits must be obtained from the Department of Building Inspection (DBI). Architectural plans must be checked and approved. Completed work must pass an inspection. How is it possible to sue under these circumstances? While not exhaustive, we have found a number of causes: In

some cases it was apparent that work had been done in the last 20 years and did not include the access requirements in force at the time. A permit history at DBI would confirm this. At the same time in the past DBI had failed. In some instances permits expired; DBI did not follow up; work completed was never inspected. In some cases work was done without a permit. In some more recent situations inspectors did not appear to do a thorough job. To what extent is this a matter of lack of sufficient resources at DBI? of failure to do the job? And to what level of significance in the overall picture? Much as we would welcome simple explanations, we cannot say.

The Americans with Disabilities Act (ADA) has been in effect since 1990. The Department of Justice published guidelines for small businesses. Internal Revenue provided tax credits for small businesses removing barriers to accessibility. Still, many business people claimed ignorance of the ADA. Ironically, in an effort to avoid burdening small businesses the "readily achievable" standard for barrier removal was created. It applies when there is no new construction or alteration. It requires removal of barriers to accessibility when that is inexpensive and easy to do, when taking account of the resources of a particular business. **However, this is an ongoing obligation.** In 1990 or 1995 it may not have been "readily achievable" to install an automatic door opener or lower sales counter height, but it may well have become so over time. When barriers to accessibility were obvious and significant, often at the front door, lawsuits were filed alleging that removal was "readily achievable" and long overdue. In the absence of evidence of removal of barriers on a gradual basis or a plan to do so, small businesses found themselves vulnerable to litigation.

A San Francisco Response

In January, 2003 The San Francisco Collaborative was formed. It is a partnership of the disability rights and small business communities. Partners are the Independent Living Resource Center San Francisco (ILRCSF), the San Francisco Small Business Network, and the San Francisco Small Business Commission. Funding came from the Public Entity Risk Institute, matched by ILRCSF and the Small Business Commission.

They agreed that accessibility is a civil rights issue and that small businesses must comply with the law. They agreed that litigation, except against those small businesses which refused to make necessary modifications, did not serve the community well: litigation could damage a vital part of our local economy, and increased accessibility was not the apparent goal nor the obvious result of much of the litigation. The Collaborative also agreed that, ultimately, it is more important to emphasize the shared interests of a business with a product or service to offer and a customer with a disability who wants to buy the product or service.

The Collaborative partners agreed to proceed with certain assumptions:

- 1) There were errors and omissions in the permit and inspection process for Title 24 through the Department of Building Inspection;
- 2) The average small business person did not understand the requirements under ADA's "readily achievable" standard;
- 3) Most small businesses would make the needed changes, if they were informed about what was required;
- 4) A risk management approach would be well received (assess the situation and proactively ameliorate the risks of litigation, while gaining new customers);
- 5) A collaborative effort would be effective in increasing accessibility and reducing litigation;
- 6) Financial assistance to small businesses to obtain independent confidential accessibility surveys to assess the need for modifications would make it easy to be proactive.

The San Francisco Collaborative Plan

A number of services to the small business community were offered:

- A telephone and e-mail information and referral line
- Creation of easy to understand print materials about what accessibility means
- Outreach and information through media, presentations to small business groups, classes on accessibility
- A \$25,000 technical assistance fund, accompanied by a list of qualified, experienced accessibility surveyors from which to choose
- A voluntary dispute resolution process utilizing a panel of persons with disabilities and small business owners

An Advisory Committee of small business representatives and persons with disabilities met regularly over the first eighteen months of this project to engage in continual re-evaluation of effectiveness and with a readiness to try new approaches.

It was agreed that the critical success factors would be a significant number of businesses engaging in proactive accessibility surveys and a significant number increasing their accessibility. In 18 months we expected extensive outreach and, at least, indicators of success.

Methodology

1. Printed Materials: (in English, Chinese and Spanish)

- An introductory packet included information about the Collaborative's goals and services, a rolodex card, technical assistance fund guidelines, a technical assistance application, (initially) a survey of needs (abandoned after poor response), a coupon worth varying amounts of technical assistance (\$500 - \$1000)
- Tips for serving customers with disabilities
- A booklet describing "readily achievable barrier removal" in concrete, lay terms (created in response to obvious need in discussions with small business people)
- A "hot topics" list of questions and answers about the risks of litigation and a simpler path to accessibility

2. Presentations:

At the Small Business Network Awards Dinner, the Small Business Commission, a class at the Department of Building Inspection, and presentations to merchants in the West Portal, Upper Market, Union Street, Marina, and other neighborhoods.

3. Personal contacts:

By representatives of the Small Business Network and neighborhood associations.

4. Display at Department of Building Inspection:

Offering technical assistance funds.

5. Class:

In addition to presentations, an architect and an accessibility consultant would conduct a formal class on accessibility and practical solutions.

6. Information and Referral Service:

Requests would be fielded by phone, mail and e-mail.

7. Walking Tours:

Of small businesses to provide information about the services available and tips about actual and potential accessibility issues.

8. Media:

Articles in local newspapers: paid advertisements. Radio shows about the issues.

9. Dispute Resolution:

Creation of a voluntary dispute resolution process for small businesses and customers with disabilities.

10. A technical assistance fund:

The Collaborative offered cost sharing for an accessibility needs survey or architectural plans to make accessibility changes up to \$500; increased this to \$1000; currently offered as potentially the full cost (an average of \$1000 - \$1500). The fund is simple to apply to. Approval usually comes within 24 hours. Payments are made directly to the surveyor or planner on completion of the work. Other payment possibilities include for classes in accessibility requirements and solutions.

Results

- Over 2200 **print materials** and packets of information were distributed: through mailings to neighborhood merchants associations and to individual businesses randomly selected from lists provided by the Council of District Merchants and the Small Business Network; at a large small business luncheon, on walking tours and at presentations.
- Over 500 merchants were reached at **presentations**.
- A **class** was conducted for 10 merchants in the Marina neighborhood, the only neighborhood association to respond to offer of a free class.
- More than 50 small business people used the **information and referral service**.
- **Walking tours** (with architect to offer accessibility pointers) occurred in the Union Street and Upper Market areas, with Supervisor Fiona Ma in the Sunset and with Supervisor Jake McGoldrick in the Richmond District, reaching more than 40 merchants. Future plans include collaboration with the Mayor's Office of Neighborhood Services.

Media

Articles on the Collaborative and the issues it addresses appeared in the San Francisco Business Times, the Independent, Marina Times, Sunset Beacon, Richmond Review, Sing Tao and two merchants association newsletters; interviews were aired on KNBR and KGO, and Supervisor Fiona Ma held a press conference for Chinese language media. Paid ads will appear in neighborhood newspapers in September, 2004 to encourage small businesses to find out about accessibility requirements.

Dispute Resolution

A pilot training and curriculum was created in June by Community Boards including potential panelists – mediators from the disability and small business communities.

Successes

To date (July 31, 2004) three applicants to the technical assistance fund have received \$1775 for accessibility surveys and have made significant changes to increase accessibility; one request is pending.

Conclusions

Advisory committee members, disability rights advocates and knowledgeable accessibility specialists have discussed the meager results to date and have come to the following conclusions:

Small businesses appear unwilling to act in the absence of a “hammer” such as litigation or fines. The Department of Building Inspection has a “Notice of Violation” process which can lead to referral to the city attorney for fines and penalties. Very few go to that point before making necessary modifications. On the other hand, to enforce the ADA “readily achievable” standard a complaint must be made to the Department of Justice with a rare response in the case of small businesses. To disability rights advocates and individuals with disabilities litigation becomes a necessary tool to guarantee civil rights.

Small businesses appear to reject conceptually sound risk management principle for the more reactive “wait until I am sued” approach. Many small businesses were unwilling to entertain the thought of spending any money or even receive free advice on modifications, unless forced to.

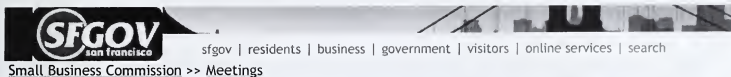
That said there, also, is genuine confusion about obligations under Title 24 and ADA. There is real difficulty in accessing funds to make significant changes under the on-going obligations of ADA or to redress past errors under Title 24. And, we experienced very little overt negative feeling about **people with disabilities.** Many businesses pointed to regular customers with disabilities who were happy with the products or services offered.

Where to now?

We remain concerned that collaboration serves the entire community better than litigation. However, the facts support litigation as the more effective barrier removal tool. At this point we are exploring the following courses of action. We expect to make firm decisions by the end of the year:

- Advocacy with other disability rights groups and the office of the State Attorney General to ensure accountability for local building inspection departments. This advocacy must include efforts to ensure effective staffing levels and adequate tracking systems. It also must include DBI follow up on expired permits.
- A non-profit accessibility enforcement campaign: an initial visit by a team of people with disabilities evaluating entrance to the business, use of and mobility in the business space itself, public restroom facilities; a notice of possible accessibility violations with a request for response and a plan of remediation within 30 days; litigation only in the absence of response and remediation plans; settlement as low as \$1000 depending on timelines of subsequent remediation plan.
- A state tax credit for small business accessibility surveys, accompanied by an enforcement campaign with **initial** fines where there are violations of Title 24 and no accompanying recent survey and remediation plan.
- Regular inclusion of information about accessibility obligations in tax bills to small businesses, with business insurance bills.
- An information – outreach campaign led by the Mayor and members of the Board of Supervisors.
- A media advertising campaign to promote compliance with accessibility obligations.
- A privately endowed fund to be used together with tax credits and low interest loans for small businesses to make accessibility modifications. Not for use, if litigation is pending.
- Adoption of ADA “readily achievable” standard as a local standard with local enforcement and substantial fines for an initial finding of non compliance.

The Collaborative will be presenting this report to the community and seeking feedback to add to or modify possible courses of action. One voice we have heard, already, is from advocates and individuals with disabilities who have been watching our efforts. They seem to be gaining a renewed commitment to civil litigation. If this is to be avoided, we must achieve a more effective response from small businesses and more effective enforcement by public agencies.



City and County of San Francisco
Small Business Commission



January 10, 2005

CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

MEETING MINUTES (Approved 2/14/05)

Monday, January 10, 2005 5:30 PM

DOCUMENTS DEPT.

____ Small Business Commissioners ____

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David Sahagun, President

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Norman Ishimoto, Vice President

Florence Alberts, Michael O'Connor, Dr. Raye Richardson, Jordanna Thigpen, Richard Ventura

Executive Director - Agnes Briones

Commission Secretary - Martha Yañez

Members Absent: Raye Richardson, Michael O'Connor

Call to order:

Item 1 - Roll Call

The Small Business Commission met on Monday, January 10, 2005 in regular session. Commissioners Richardson and O'Connor were absent.

Item 2 - Approval of minutes of the December 13, 2004 SBC Meeting (Action Item)

This item was tabled until the next meeting of the full commission

Item 3 - General Public Comment (Discussion Item)

Scott Hauge commented on the Healthy Families Tax Credit. Commissioner Sahagun

requested that the Community Outreach Committee take up this issue and make the public aware of this wonderful program.

Item 4- Presentation from the Department of Parking and Traffic. Presentation by Acting Director, Bond Yee. (Discussion/Action Item)

Bond Yee, Director of the Department of Parking and Traffic stated that the department appreciates the role that small business plays in the San Francisco economy and said that they are eager to work with the Small Business Commission on any issues that may arise, or initiatives. He explained a little about himself, stating that he has been with the city since 1982, first with Public Works and later with DPT. Prior to working with the City he worked for a consulting firm. He said that the department is undertaking a comprehensive deployment of their enforcement practices of the enforcement division. He said that when he took over he discovered that it has not been done for quite some time. He said it was time to review their practices and find out how they are doing. He said that this process involves dealing with 300 parking control officers and procedures that have been in place for many years, adding that it is a little difficult to break habits. He stated that the other aspect that they are working on is the budget. He said that the municipal transportation agency is considering different sources of revenue, which include looking at parking fines, meter rates, residential permit parking fee structure, contractors permit fees, parking garage rates and the new meter areas. He said that there are a lot of places in the city that are currently time limited and said that they think it would be more efficient for enforcement practices to have these areas metered, because he said that the metered areas are much easier to enforce. He said that all these things are under consideration and said that the Board of Directors has scheduled a meeting for next Tuesday to consider some of these proposals. He told the Commissioners that they were welcome to attend. He said that they would also keep them informed through Ms. Briones. He brought along a couple of staff members that the Commission is likely to interface with on a regular basis. He introduced Mr. Jack Fleck, Deputy Director and Mr. Tomas Folks, Senior Engineer in charge of Operations. He said that a lot of the day to day things that merchants often request, for example new loading zone or green zone, are processed by Mr. Folks. He stated that due to the limited resources, he felt that it would be most efficient if the merchants tell the department what they need. For example, in Lakeside Village on Ocean Avenue, between 19th and Junipero Serra, he said that there are no loading zones, which he said is truly amazing. He said the reason is that the merchants got together and decided that curb side parking for their customers is most important and they agreed to do their loading before 9AM every day. He said that another trend has been to request extended meter time limits. He said that they are willing to work with anyone who comes to them with a proposal, provided that there is some consensus and support for such a proposal. He said that they recently did this in West Portal successfully and said that they look forward to hearing from the Commission and working with the small business community. Commissioner Sahagun thanked Mr. Yee and his staff for coming before the Commission to explain his departments policies and offer to work with the Commission. Commissioner Thigpen stated that the Commission is often approached by folks with varying needs. She asked if the department had any established procedures or if they had considered establishing any routines that the department would like folks to follow. She wondered if they simply make a request to the department. Mr. Yee stated that the department does have guidelines for evaluating such changes and said that they need to do this on a city wide basis to ensure uniformity of application, and said that they receive requests of this type through many forms. He said that the easiest way is simply to call the department with the exact location and an explanation of why the zone is needed and the name of a contact person and phone number for follow up. He said that such requests are done by way of public process, stating that once they receive a request and make the determination that the zone is justified, they would schedule the item for public hearing and post the notices in the immediate vicinity, so that anyone who

is remotely impacted by the change has an opportunity to provide input at the hearing. Commissioner Ventura thanked Mr. Yee for his department's assistance in helping with Venture Frog's request. Commissioner Ishimoto asked if DPT was responsible for the Lincoln Avenue disaster around Kezar Stadium closing off the road to the Haight. Bond Yee replied stating that it was not. He said that it was part of the Recreation and Parks department master plan, stating that it has been in place for quite some time and it was due to implementation of that specific aspect. He said that he had expressed his concerns in regards to the plan. Commissioner Sahagun noted that there were a lot of different people in the audience that represent a lot of different commercial neighborhoods in San Francisco and said that he is aware that Mr. Yee and his staff often attend some of these business meetings and said thanked him for it, and encourage them to keep attending such meetings. He asked how much revenue DPT brought in last year. Bond Yee said that he did not have the exact number and said that a good portion of the revenue that comes in goes directly to support the municipal railway operations. The parking meter revenue goes to several places, including DPT and the general fund, as well as the municipal railway. Commissioner Sahagun said that he would like to invite Mr. Yee back to report on the revenue aspect of the department and explain how much of it was supposed to be set aside for neighborhood parking lots and explain why it hasn't happened, and what can be done to get some of these neighborhood parking lots put in place to help alleviate the parking problems in the neighborhoods. He asked about the need for a mixture of time limits for neighborhoods, so that there are anywhere from 15 minute meters to 2 hour meters in the same neighborhoods and near each other to accommodate the various needs of the customers. He wondered if there was any thought to have them color coded so it would be easy to distinguish them. Bond Yee replied stating that they currently already have three different color codes, explaining that the short term meters (15 and 30 minute meters) are coded green with a green cap, the loading zones have a yellow cap and the 6 wheel truck zones have red caps. He said that if there are too many more colors, this may lead to confusion. Commissioner Sahagun disagreed, stating that he believed there would be a lot less confusion. He asked if there were anyone from the public that would like to ask any questions of Mr. Yee. Stephen Cornell, a member of the public stated that years ago they had the off street parking fund that was eliminated by the Supervisors and asked if there was anything in plan for building new parking garages, and asked where the money would come from if so. He asked about the yellow zones, especially the downtown ones, which he said were a big problem and he asked for an update. Finally, he said that a lot of streets, like Polk Street, 9th Avenue, and Union Street, have no double parking of trucks during certain hours. He said that no one is enforcing that, and asked if it will be enforced and how. Lastly, he asked about the contractors stickers, asking who gets them, how are they enforced etc. He said that in his neighborhood there is one particular contractor whose business is there and they just park there all day long, and asked if there is anything that could be done about it. Bond Yee replied to the off street parking fund, stating that currently there is no money in that fund because in the late 1980's and early 1990's, as a means to balance the city's budget, the Board of Supervisors appropriated the reserves for other means. He said that also, it is currently increasingly difficult to get anything built in the city, due to environmental concerns etc. He said that the challenge is to find support and money and said that it is an extremely timely process. In response to the 6 wheel truck zones, he said that they evaluated over 220 block faces in the downtown area, working with the teamsters to keep them informed and said that they are in the process of converting those zones over to the 6 wheel trucks. He said that the reason for doing this, particularly in the downtown area is the incidence of larger delivery vehicles, stating that they are more prevalent. He said that they want to make sure that they can access the curb without having to double park, which causes big problems for traffic flow and Muni service. He said that they went through a rigorous process to ensure that there is a proper mix of these and regular zones because he said that they heard the small business communities concerns that there is a large need for smaller delivery vehicles as well. He said that they are in the process of

implementing these zones and said that they are pretty much limited to the downtown area. He said that they would continue to evaluate these zones. He said that they had just received legislation from the Board of Supervisors that would allow DPT to put in normal zones along Market Street and encouraged them to let them know if they felt there was a need for them and said that DPT would work to install them on a case by case basis. He said that the original need was not to impede Muni services on Market Street. Regarding double parking zones, he said that there are certain double parking double fine zones and said that they are mainly along the major transit route. He said that this is one area that they are looking at as part of their deployment study, to marshal more forces along those routes to eliminate the incidence of double parking. He reported that as an initial shift in their deployment efforts, the double parking citations have gone up, compared with each month last year, by 5-10%. He said that the measure of success is not writing more tickets, but rather to make sure traffic flows, and decrease congestion. Robert Garcia, a member of the public and member of Save our Streets Tenants and Merchants Association, asked about the yellow zones on Market Street, stating that those [merchants such as him] that have trucks have commercial stickers, but said that they are not able to use them. He said that has to be a happy medium because there are many businesses that do not have 6 wheel vehicles, yet they do a lot of business on Market Street. He also talked about tow away zones for street cleaning, stating that his neighborhood is lower Nob Hill. He said that there is street cleaning everyday one side or the other and said that there are tow away zones for commuters. He said that years ago the city had the Seeda program, whereby people cleaned the streets manually not with machines. He said it worked perfectly, stating that the City was never cleaner. He said that this ought to be looked at. Bond Yee replied that he agreed wholeheartedly with Mr. Garcia regarding the Market Street bays, adding that he was willing to work with him on identifying locations for such zones. Regarding street cleaning issue, he said this was under the jurisdiction of the Department of Public Works and said he would be happy to give him a contact in that department. Commissioner Sahagun suggested that the Legislation and Policy Committee continue to work with Mr. Yee and his staff on the issue related to the 6 wheel vehicles and yellow zones.

Item 5 - Presentation by the California Franchise Tax Board on the State tax Amnesty Program. Presentation by Gary Bailey (Discussion Possible Action Item)

Gary Bailey, thanked the Commission for allowing him to come and discuss with them the tax amnesty program. He said that he is currently with the Franchise Tax Board in the Oakland office. He said that he is a Program Specialist and said that he has been with them for 5 years and said that he has looked forward to generating some revenue for the state through the amnesty program. He explained that the amnesty program is a limited time for people that have not paid their taxes to come forth and pay not only sales, income tax, use tax and franchise tax. He said that both individuals and businesses are eligible for the program, so businesses that have not reported their income properly, have understated income, or overstated expenses, or they just haven't paid their tax at all. He said that there are exclusions, due to the 2003 voluntary compliance initiative, or abusive tax shelters. He said that if a taxpayer is participating in the abusive tax shelter initiative, they would not be able to participate in the tax amnesty program. Also, if someone is currently under criminal investigation for tax related issues, he/she/they are not eligible to participate. However he said that if someone is participating in the abusive tax shelter initiative, that person would be able to participate in the tax amnesty for those items not associated with the abusive tax shelter. He said that the program will give folks an opportunity to pay their taxes and any interest penalty free. To apply he said that one should go to the website at www.taxes.ca.gov, or by calling 1-800-852-5711 and request a form that would need to be filed by March 31st. He said that if there are taxes that have not been reported and one is looking to participate in the program, one must file all past tax returns that have not been filed from years 2002 prior. He said that this needs to be filed by May 31st and pay taxes and interest by

that time. He said that if one can not pay the taxes there will be an installment program in place, however this program has to be completed and totally paid by June 30, 2006. He said that if one decides not to participate the ramifications will include additional penalties being accessed, adding that the penalties have been increased to 40% of taxes due. He said that in addition to that, for any of the interest due, one would also be charged a 50% penalty on any interest that is due. He said that what they are ultimately trying to accomplish is to get tax payers that have not filed properly or have not paid in a timely basis to come back into the system. He said that the date is a drop dead date to file, there are no extensions. He said that because March 31st is a holiday they will allow for postmark of April 1st. He said that the Franchise Tax Board will include these returns into the normal cycle of audit, so they will potentially get audited as any other return. Furthermore, the Franchise Tax Board also shares information with the IRS, and this case is no different. He said that tax payers that may be protesting or appealing are also eligible. He said that the benefit for participating in the amnesty for folks in this situation is that the penalties if they have any will be resented. He said that the amnesty program is looking to generate 550 million dollars, which may be an underestimate given the fact that they had estimated the same amount with the voluntary compliance initiative, which actually brought in 1.6 billion dollars in tax by the time the program was completed. He said that if someone has already worked something out with the State, like an installment plan for example, he said that these persons do not need to file for the amnesty program, however, they can if they want to. He said that a company who has filed for bankruptcy may also apply for the amnesty program, however they would need to get authorization from the courts to do so. He said that in order for folks to continue to have this benefit, they have to stay in compliance with the State for two subsequent years. He directed folks to the website again for more information. Commissioner Sahagun thanked Mr. Bailey for his presentation. Commission Thigpen asked to clarify that the IRS is not granting amnesty, so if that someone may be subject to penalties from the IRS if they apply for the amnesty program. Mr. Bailey confirmed that this was the case. He said that they have an information sharing agreement with the IRS among other agencies, so that when adjustments are found they share the information. Commissioner Thigpen asked what would happen if a person has overpaid taxes. Mr. Bailey replied stating that they could file an amended return and solicit the refund. However he stated that there is a statute of limitation that apply. Stephen Cornell, a member of the public asked if the State also participates with the City in sharing information. He asked how the State handles situations like the day labor program in San Francisco, stating that it seems that these types of programs may be difficult to track. Mr. Bailey replied that the State does not have an information sharing agreement with the City of San Francisco. In response to the day labor programs he stated that the State is continuously looking at situations like these. He said that it is considered a tax gap and said that they have estimated that there is approximately a 6.5 billion dollar tax gap from what people should be paying to what they are actually paying. He said that they are continuously looking for areas where people are not paying taxes properly. He said that if everyone pays their fare share, they would be able to drop the tax rate by 20%. Commissioner Thigpen asked if they plan to use some of the money that they make through the amnesty program to hire more people to do enforcement. Mr. Bailey stated that they did experience major cutbacks in last year's budget, but he said that the Governor has released funds to them so that they can now start hiring people. Scott Hauge, a member of the public stated that he had a couple of questions and said that he is very interested in the aspect of reciprocity of information. He said that he is in discussions with the city of San Francisco to polo a project that was done down in LA. He said that there was some legislation passed by Gil Cedillo that allowed city's to tap into the state, adding that Los Angeles did that and collected 20 million dollars by tapping into the state. He asked if with this amnesty this would be passed back to LA, because they have already started it on another process. Mr. Bailey replied stating that at this point where the money will go is uncertain, or he does not know. Scott Hauge asked who the city would contact

about doing something like this to tap into the states tax base. Mr. Bailey said that he did not know, but offered to give Mr. Hauge his card and said that he would gladly find out. Mr. Hauge stated that he was also told when he talked to the Tax Collector that in some preliminary research that his people did, he said their were some problems with the accuracy of the state tax returns. Mr. Bailey replied stating that in regards to purging of the records, they in turn comply with the statute of limitations. He said that they will keep those records for 4 years and past those years both personal and also posterity's records are destroyed. Mr. Hauge stated that the reason he asked was because he had a study done of the number of businesses in San Francisco, stating that they tied it in to the IRS tax returns and it showed 108 thousand businesses in San Francisco. He said that the City of San Francisco has registered about 65 thousand, adding that there are about 43 thousand businesses that aren't paying at least the registration tax and maybe the payroll tax that exists also. He said that this is something that the City of San Francisco is looking into and said he would appreciate the information. Secondly he said he was a little concerned with the words not filed properly. He asked Mr. Bailey to define that, because he said his concern was in a situation where someone makes an honest mistake, adding that the penalty will go from 20 to 40%. Mr. Bailey replied stating that if he is talking about what is known as accuracy related, he said it is usually when there is true negligence on the part of the tax payer and when they are actually trying to get away from paying tax. He said if it was an honest mistake, this is something that is taken into consideration at the time of audit. Commissioner Sahagun stated that the Small Business Commission is a good way to communicate with the small business community and he encouraged Mr. Bailey to work with staff to communicate this to the small business community of San Francisco.

Item 6-Presentation on the San Francisco Collaborative, A Technical Assistance Program for Small Businesses Presentation by Herb Levine, Executive Director of the Independent Living Resource Center (ILRC) of San Francisco.

Herb Levine stated that almost three years ago some small business people came together with the ILRC, a disability rights organization, because there were concerns on both parts over what have been characterized as drive by lawsuits, whereby people who appear to be opportunistic were driving by looking at what seemed to be fairly obvious violations of disability access codes and filing lawsuits. He explained that these people would then offer to settle the lawsuits for anywhere between 0 to 20 thousand dollars. Thus access was not achieved and someone was doing very good business as a result. He said that both sides felt that this was not something that they wanted to see in San Francisco. Thus the San Francisco Collaborative was born, a program funded by the Public Entity Risk Institute, the Small Business Commission with some matching in kind funds from the ILRC. He said that it was a two year project, which officially ended December 31, 2004. He said that they put together an effort premised on some assumptions. He said that they assumed that small businesses needed information on how to comply with state and federal laws; they assumed the nature of compliance was confusing; they assumed there would be good will; and that if they provided funds to assist small businesses to get proactive confidential accessibility surveys, that they would have a good idea of the work that they had to do. He explained the nature of compliance, stating that when someone engages in new construction or alternation, state building codes are triggered, adding that there are things that must be done. However, he stated that the Federal law is very different, stating that when the federal law was set up, the standards put in place were put in place deliberately with small businesses in mind. He said that the standard was called readily achievable barrier removal, meaning that if given the resources given to your business, you could not remove access barriers, in an easy and relatively inexpensive way, then you didn't have to do it. However he said that this was an obligation overtime, so that if in 1990 when the Americans with Disabilities Act was passed, one did not have the resources to install and automatic door opener on the front door of their small business, by the year 2000 somebody could probably

make a good case that by that time it had become readily achievable. The question is could this be proved. He said that this became a problem, because the only place that it could be proved was in Federal Court, stating that only a judge was going to make that definitive decision, so he said given the likelihood that over time you could have done this and the fact that somebody has come and sued you, many small businesses were settling. He said that they came together to try to address this issue in the City and said that they tried a lot of different things. He said that they tried the standard mailings, reaching roughly 1500 small businesses. He said they also tried talking to small business merchant groups, walking the neighborhoods with Supervisors Fiona Ma and Jake McGoldrick, leafleting in the China Town area, paid advertising, they approached Community Boards, a non profit mediation group. He said that the result of these efforts was the following: Over 1500 businesses contacted in a multitude of ways, there were approximately 50 inquiries for information. He said that the matching funds that they received from the Small Business Commission primarily went into a pass through fund, which means they took no administrative dollars. He said that they took 25 thousand dollars and put it into a technical assistance fund solely to pay for businesses to be able to have proactive access surveys, and or design work following the survey. He said there were only 3 businesses in San Francisco who took advantage of the money. He said that they concluded that litigation had actually provided more access than the attempt of the Collaborative. He reported that he had taken a look at the Department of Building Inspection (DBI) public records and said that one of the drive by attorney's filed 140 title 24 lawsuits. He said that he asked DBI how that was possible to find so easily 140 businesses that are so obviously out of compliance. He said that they were ready to cash in, when Scott Hauge put out an email to his list, which garnered some responses. He said that they have worked with the Small Business Commission to extend the technical assistance portion of the grant. He said that they were prepared to hand back to the city over 20 thousand dollars. He reported that the grant has been extended until June 30th. He said that they do not have money to advertise, so it is completely up to the small business community, the Commission, the Council of District merchants etc. He said that the ILRC would gladly administer the fund at no cost. Commissioner Sahagun thanked Mr. Levine for his efforts and for not giving up. Commissioner Thigpen stated that she was familiar with the program, stating that she was a victim of Mr. Ted Olmholt, adding that he had sued her for defamation in 2003. She stated that in most leases (50-60%) it states that the tenant is responsible for ADA and Title 24 improvements. She asked how much outreach was done to landlords, because she said obviously the other percentage of people responsible are the landlords and the business owners themselves. Mr. Levine stated that over 90% of the outreach that they did was to the small business tenant, adding that one of the other things that they managed to do was to encourage the Port to do more education of their tenant. The Building Owners and Managers Association (BOMA) was also contacted. Commissioner Sahagun stated that the Commission has a Community Outreach Committee and said that he would request the committee to do some outreach around the Collaborative. He also mentioned the Department of Public Health's Green Business Program, stating that they may want to apply similar tactics to businesses that take a proactive approach to becoming ADA compliant. Mr. Levine suggested that it would be an unsafe thing to do because you can not protect someone from being sued. He reported on an idea from Laurence Kornfield of DBI, which would revolve around a citywide focus on access campaign, which would utilize some of the inspectors to educate and provide information. He said that he would be meeting in the next few weeks with the Mayor's Office of Disability and Supervisor Alliotto Piers Office to see about moving the idea forward. Scott Hauge stated that he wanted to publicly recognize the efforts of Herb Levine and the ILRC for what they have done on behalf of this program. He said that he was proud of being a small business owner and for what small business does for the economy and the neighborhoods, but said that with this program he was embarrassed. He said it was something that was put together to help small businesses. He said that the question was raised about recognizing businesses that are being proactive, stating that this was

the purpose of the program, recognizing that some businesses won't be able to comply in total because it goes beyond their financial means. He said that they were of the belief that if there was a good faith effort and things were done that it would minimize the possibility of being sued. He said that this has been very frustrating because he said that he was getting calls from the Public Entity Risk Institute, he was getting calls every couple three weeks from them offering to give more money, which he could not take because there was no interest from the small business community. He also recognized Arnie Lerner who is an architect and was with them every step of the way on this. He said that there is an opportunity here, adding that the disabled community is pissed. He said that while the program may not be well known with the small business owners, it is well known within the disabled community throughout California. He said that this is a last chance to take advantage of this program, and said that the Small Business Network and the Small Business Advocates will work with the Commission in anyway they can to turn this thing around by June 30th. Commissioner Sahagun stated that the Commission would do likewise.

Item 7 - Legislation and Policy Committee Report. Report by Richard Ventura, Chair (Discussion/Action Item)

Commissioner Ventura stated that he had four items to report on, the first being the Backstreet Business Advisory Board is holding a seat to be assigned by the Small Business Commission. He said that he would like the Legislation Committee to recommend Commissioner Michael O'Connor to the Advisory Board. Commissioner Albert's stated that she was very much in favor of Commissioner O'Connor but stated her concern that his absence at the meetings may make it difficult for him to report back. Commissioner Sahagun stated that he is excused from the present meeting, stating that he was out of town. Commissioner Thigpen stated that she too supported Commissioner's O'Connor's recommendation to the Advisory Board, but said that she understood that the seat could be filled by a member of the public and wanted to ensure that no members of the public might be interested in participating prior to making that recommendation. Director Briones clarified that there is one seat designated for a member of the public, as well as a seat designated for the Small Business Commission. She stated that they would like to constitute the Advisory Board by the end of January. Commissioner Sahagun requested that staff figure out the exact makeup of the Board, and suggested that if there is indeed a separate seat reserved for a member of the public, that the Commission encourage nominations and then make the decision at the January 21st retreat. Commissioner Ventura reviewed the vacancy notice, which stated that the Advisory Board consist of 14 members, 8 members appointed by the Board of Supervisors, 1 member appointed by the Small Business Commission, 1 member representing the Mayor's Office of Economic & Workforce Development, 1 member representing the Mayor's Office of Community Development, 1 member representing the Planning Department, 1 member representing the Port of San Francisco, and 1 member representing the San Francisco Redevelopment Agency. Director Briones found some additional language on page 2 of the notice and it was concluded that indeed the seat could be filled by either a member of the Commission, or a member of the public appointed by the Commission. Commissioner Sahagun requested that notice go out to the public that the Commission will except nominees for this position, and requested that the item be placed on the retreat agenda. Director Briones stated that the it was too late to be placed on the retreat agenda for the January 21st special meeting due to the fact that 15 days notice is required since the meeting will be held off site and not at City Hall. The Commission decided that they would bring it up under new business at the special meeting. Commissioner Ventura reported on File No. 041741, amending the San Francisco Planning Code to provide that existing bars in the Castro and Upper Market Neighborhood Commercial Districts be allowed to apply for and receive a place of entertainment permit from the Entertainment Commission without obtaining Conditional Use Authorization from the Planning Commission if they can demonstrate to the satisfaction of the Entertainment Commission that they have been in regular

operation as an entertainment use prior to January 1, 2004. He stated that the number of businesses being impacted is 12-14, and thus far there has not been any community reaction in a negative way to the legislation. He said that it is really looking at grandfathering businesses that have been operating with entertainment to have this permit. He also reported on the DBE Ordinance, stating that the Committee is recommending that the Commission request that the legislation that is being drafted on the DBE Ordinance come before the Commission for consideration and review. He said that there are a lot of issues that are being discussed. Commissioner Sahagun requested to get a summary of the legislation for the Commissions review. Commissioner Ventura reported on the definition of small business, which has been an ongoing item. He stated that Director Briones and he had met with Treasure Jose Cisneros to take a look at the data that they are collecting on small businesses. He stated that David Augustine of the Treasury's Office would work with the Committee to assist in the area of legislation and help define small business. Finally he reported on a piece of legislation that would remove a flower stand on Market Street that has been vacant for 2 years. He said that the Committee would be looking into this matter by visiting the location and speak to the building owner. He said they want to review this since it is more difficult to bring businesses in and easier to shut them down.

Action: Commissioner Ventura made a motion for the Commission to recommend support of the legislation to the Board of Supervisors. Commissioner Alberts seconded. Unanimous approval from the Commission.

Item 8 - Community Outreach Committee Report. Report by Florence Alberts, Chair (Discussion/Action Item)

Commissioner Alberts stated that the Committee had met on December 16th and she reported on the dissemination of information. She requested to get information out to the community including notification of the recently launched re designed website by way of circulating emails etc. She stated that the community had also stated that they wanted a calendar and said that the Commission needs to take action on that. She reported that they also discussed Shop Outside the Box and said that a full report is available for review. She said if anyone is interested they may call her. She said that the most important thing to report and to be discussed by the Commission is Small Business Week, adding that the consensus was for the Commission to launch Small Business Week. Director Briones stated that the Committee had also discussed a possible link exchange with other organizations as a way to get more exposure and increased marketing. Commissioner Sahagun stated that with the holidays and Martha on vacation things may have slowed down, but said that he was hopeful to start moving full speed ahead. He asked how staff would get information from other organizations for the calendar. Director Briones, stated that she agreed with Commissioner Alberts that the Commission needs to let folks know about the newly redesigned website, in addition to coming up with a mechanism for getting agencies to submit to the Commission key information that they would like put on a calendar. She said that it would be necessary to filter information. Commissioner Ventura asked Director Briones if she could get her hands on the Business Times Book of Lists, stating that they listed the top 25 business associations in the City. Director Briones stated that she had requested the Mayor to attend the kick off event at City Hall, as well to have him request a portion of City Hall for this event. Commissioner Alberts stated that the request should also be for the Mayor to declare that day Small Business day in San Francisco. Furthermore she reported that the Committee had budgeted 35 thousand dollars for small business week as well, 5 thousand for the Green Business Summit to take place during World Environment Day during June 1 to the 5th, and 22 hundred dollars to spend on the community neighborhood kind of outreach. Pat Christensen of the Council of District Merchants Association informed the Commission about a couple important planning retreats, stating that the Council's

meeting was scheduled for Monday night, and the Small Business Network retreat scheduled for Saturday, January 22nd at City Hall, Room 201. She stated that Alex Tourk would be making the opening statement and there would be a lot of planning throughout the day with Barbara Kauffman of Governor Swartzenager's office would be joining for lunch. She stated that they really need to know the plans for Small Business Week in advance, adding that both organizations are excited about it and would like to participate in the most effective possible way. She stated that she could share the webmaster information to both the organizations in order to link to them. Director Briones said that the Committee would like to have representatives from both organizations on the proposed small business week event planning subcommittee. Commissioner Ventura reported that he would be attending the Small Business Network retreat.

Item 9 - Vice President's Report -allows the vice president to report on recent small business activities and make announcements (Discussion/Action Item)

Commissioner Ishimoto reported that he along with Director Briones had represented the Commission on the Mayor's merchant walk of Chinatown. He reported that it turned out to a photo op and said that he found other things to do. He said it was a nice event with lots of media. He reported that he had received an invitation from the US Pan Asian American Chamber of Commerce to attend a meeting on January 27th in San Jose and said he would be happy to go and report back to the Commission. He reported that the Budget and Economic Development Committee is holding its breath awaiting any economic data in order to find out if there are any funds for the various activities noted. He reported that he and Commissioner Alberts were drafting up a small grant proposal that may enable them to do something in collaboration with the SBA, KQED and possibly SFSU. He reported that he had met with Victor His of the New Alliance for Community Development, and said that they agreed that it would be a good idea if they were able to publicize in some manner the fact that the Alliance for Community Development has venture capital investment funds for small businesses and medium sized businesses that are willing to locate in economically distressed areas. He stated that from their standpoint the entire bay area qualifies. He said that they do want to see a business that would hire people from such districts and create jobs etc. He said that he would work with staff to possibly put a notice on the SBC website about these funds. Finally on his efforts to create productive relations with foreign consulates that would develop small business to small business productive relationships, he said he had a couple meetings scheduled and would report back later.

Item 10-President's Report -allows the president to report on recent small business activities and make announcements (Discussion Item)

Commissioner Sahagun stated that just about everything he wanted to say had been covered but he did emphasize the fact that small businesses have a great opportunity through the SF Collaborative to become ADA compliant. He asked organizations to let the Commission know if they have any events planned around small business week so that these events may be publicized.

Item 11- Director's Report - allows the director to report on recent small business activities and make announcements (Discussion Item)

Director Briones reminded everyone that January 21st is the SBC retreat at the Chamber of Commerce Board Room at 235 Montgomery Street, 12th Floor. She reported that Susan Reynolds, Small Business Loan Program Administrator with the Mayor's Office of Community Development had requested that she join their review committee. She said that they meet on a case by case basis depending on what loans are submitting. Commissioner Thigpen stated that she would be happy to participate

and help in anyway possible. Commissioner Sahagun said that he would be interested to get a report back about the loans. Director Briones recognized John Stenson, a volunteer for the Commission. She said he has been tremendously helpful to her and the Commission in Martha's absence, helping with the operations of the office as well as with the revision of the Getting a Business Started booklet. Commissioner Sahagun thanked Mr. Stenson for all his help on behalf of the Commission. Director Briones mentioned the Convention and Visitor's Bureau's Dine About Town initiative, stating that staff is working on a reciprocal link exchange with the Convention and Visitors Bureau to promote businesses involved in the Dine About Town.

Item 12 - New Business -allows the Commissioners to introduce new agenda items for future consideration by the Commission (Discussion Action Item)

- Commissioner Alberts suggested that the Commission write a letter commending Kelly Colun the Director of the Tenderloin Neighborhood Development Corporation for the effort that have been going on in the Tenderloin, referencing the article about the turn around in the Tenderloin with a gentleman by the name of Joe Hunt who has opened a San Francisco Comedy Club at 50 Mason as part of a block that is turning itself around and trying to get away from the sleaze and porno into a more reputable environment. She requested to get the letter copy the owner of the Comedy Club. Commissioner Thigpen stated that at the last meeting she had wanted to set up a monthly award to be given to small businesses from throughout San Francisco, working with the Assemblymen and the Supervisors. Director Briones stated that this could be discussed during the retreat under goals and objectives. Commissioner Albets requested to cancel the January 20th meeting of the Community Outreach Committee meeting, and requested that a notice be sent to the public stating the fact.

Item 13 - General Public Comment -allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (Discussion Possible Action Item)

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Item 14 - Adjournment (Action Item)

Action: Commissioner Alberts made a motion adjourn. Commissioner Thigpen seconded. Unanimous approval from the Commission. The meeting was adjourned at 7:30PM.





City and County of San Francisco



SMALL BUSINESS COMMISSION

Notice of SPECIAL Meeting & RETREAT AGENDA

Friday, January 21, 2005

DOCUMENTS DEPT.

235 Montgomery Street, 12th Floor
Chamber Boardroom

JAN - 7 2005

SAN FRANCISCO
PUBLIC LIBRARY

San Francisco
Chamber of Commerce Boardroom
235 Montgomery Street, 12th Floor

1-07-05 2:10:44 8070

9:00AM - 4:30 PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

COMMISSIONERS:

David Sahagun, President
Norman Ishimoto, Vice President
Florence Alberts
Michael E. O'Connor
Dr. Raye Richardson
Jordanna Thigpen
Richard Ventura

Agnes Briones, Executive Director
Commission Secretary, Martha Yañez

SF
552
#1
1/21/05
Special

1. Roll Call for the January 21, 2005 Special meeting and Retreat of the Small Business Commission
2. General Public Comment –allows members of the public to comment generally on matters within the Commission’s purview, as well as to suggest new agenda items for the Commission’s future consideration (Discussion Possible Action Item) 9:05-9:30am
3. Introduction by Commission President & Director (Discussion/Possible Action Item) 9:30-10:00am
 - Facilitator comments
 - Commission introductions
4. Discussion of Small Business Commission Goals/Objectives/Priorities (Discussion Possible Action Item)
 - Define Metrics/Set Milestones for our goals/Objectives 10:00-11:00am
5. Break 11:00-11:15am
6. Continue Discussion of Small Business Goals/Objectives/Priorities (Discussion Possible Action Item)
 - Small Business Week 11:15am-12:30pm
7. Lunch 12:30-1:30pm
8. Administrative Issues (Discussion Possible Action Item) 1:30-2:30pm
 - Budget Review (By Chair of Commission)
 - Update on Administrative Tasks, Duties of staff, Commission Structure/Roles (Executive Director & City Attorney (TBD)
9. Break 2:30-2:45pm
10. Commission Structure/Roles/Processes (continued) (Discussion Possible Action Item) 2:45-3:30pm
11. Wrap-Up: Assessment of meeting, next steps (Discussion Possible Action Item) 3:30-4:00pm
12. New Business (Discussion Possible Action Item) 4:00-4:10pm
13. Adjournment (Action Item) 4:10-4:15pm

Public Comment will be taken before or during the Small Business Commission’s consideration of each agenda item.

Explanatory Documents: Copies of proposed legislation listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 436. Please call Martha Yanez (415) 554-6134 to make arrangements for pick up or review.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Adele Destro by mail to Interim Administrator, Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by phone at 415 554 7724; by fax at 415 554 7854; or by email at sotf@sfgov.org.

Citizens interested in obtaining a free copy of the Sunshine Ordinance can request a copy from Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, <http://www.sfgov.org/sunshine/>

Cell Phone and/or Sound-Producing Electronic Device Usage at Hearings

Effective January 21, 2001, the Board of Supervisors amended the Sunshine Ordinance by adding the following provision: The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Disability Access Policy

Accessible seating for persons with disabilities (including those using wheelchairs) is available. The closest accessible BART Station is the Civic Center station located at the intersection of Market, Hyde and Grove Streets. Accessible MUNI lines serving the Veterans Building are 42 Downtown Loop and the #71 Haight/Noriega and the F line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services call 923-6142. Accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex. American Sign Language interpreters and/or a sound enhancement system will be available upon request by contacting Milton Edelin at 558-6410 at least 72 hours prior to a hearing. Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-8925 to discuss meeting accessibility. In order to assist the city's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the city to accommodate these individuals.

Translation Services

Interpreters for languages other than English are available on request. Sign language interpreters are also available on request. For other accommodation, please call the Department of Human Services staff support representative at 557-5989 at least two business days before a meeting.

Lobbyist Ordinance

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1. Roll Call for the January 21, 2005 Special meeting and Retreat of the Small Business Commission
2. General Public Comment –allows members of the public to comment generally on matters within the Commission’s purview, as well as to suggest new agenda items for the Commission’s future consideration (Discussion Possible Action Item) 9:05-9:30am
3. Introduction by Commission President & Director (Discussion/Possible Action Item) 9:30-10:00am
 - Facilitator comments
 - Commission introductions
4. Discussion of Small Business Commission Goals/Objectives/Priorities (Discussion Possible Action Item)
 - Define Metrics/Set Milestones for our goals/Objectives 10:00-11:00am
5. Break 11:00-11:15am
6. Continue Discussion of Small Business Goals/Objectives/Priorities (Discussion Possible Action Item)
 - Small Business Week 11:15am-12:30pm
7. Lunch 12:30-1:30pm
8. Administrative Issues (Discussion Possible Action Item) 1:30-2:30pm
 - Budget Review (By Chair of Commission)
 - Update on Administrative Tasks, Duties of staff, Commission Structure/Roles (Executive Director & City Attorney (TBD)
9. Break 2:30-2:45pm
10. Commission Structure/Roles/Processes (continued) (Discussion Possible Action Item) 2:45-3:30pm
11. Wrap-Up: Assessment of meeting, next steps (Discussion Possible Action Item) 3:30-4:00pm
12. New Business (Discussion Possible Action Item) 4:00-4:10pm
13. Adjournment (Action Item) 4:10-4:15pm

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City and County of San Francisco



SMALL BUSINESS COMMISSION

Notice of Meeting & Agenda

For

Monday, February 14, 2005

City Hall, Room 400

5:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

COMMISSIONERS:

David Sahagun, President
Norman Ishimoto, Vice President
Florence Alberts
Michael E. O'Connor
Dr. Raye Richardson
Jordanna Thigpen
Richard Ventura

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Agnes Briones, Executive Director
Commission Secretary, Martha Yañez

1 DR. CARLTON B. GOODLETT PLACE, ROOM 436 SAN FRANCISCO, CALIFORNIA 94102

(415) 554-6134

1. Roll Call for the February 14, 2005 meeting of the Small Business Commission
2. Approval of the December 13, 2004 & January 10, 2005 Small Business Commission meeting minutes (Action Item)
3. General Public Comment –allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (Discussion Item)
4. Presentation on Local, State & Federal Tax Credit Programs and Possible Action to Support & Assist the Programs
 - Working Families Tax Credit
 - Earned Income Tax CreditPresentation by the Office of the Treasure & Tax Collector (Action Item)
5. Review, Discussion and Possible Action on Proposed Ordinance File No. 050134 [Ordinance amending the San Francisco Administrative Code by adding Section 12S.2, to require City offices to display signs, brochures and forms for the San Francisco Working Families Credit Program] (Action Item)
Explanatory Documents: File: 050134
6. Review, Discussion and Possible Action on File No. 050071 [Ordinance amending Part II, Chapter X, of the San Francisco Municipal (Public Works) Code by adding Sections 1410-1413, requiring permanently affixed signs on shopping carts, requiring businesses with carts to post signs prohibiting removal from premises and to secure all carts during hours business is closed] (Action Item)
Explanatory Documents: File No. 050071
7. Review, Discussion and Possible Action to Approve File No. 041742 [Ordinance amending Public Works Code Article 5, Section 155 to delete the flower market location on the south side of Market Street within 100 feet of the west line of 5th Street] Presentation by Commissioner Ventura, Leg/Policy Committee Chair (Action Item)
8. Review, Discussion and Possible Action to Approve File No. 050062 [Resolution instructing the Department of the Environment to complete a nexus study on a local fee for supermarket checkout bags] Presentation by Commissioner Ventura, Leg/Policy Committee Chair (Action Item)
9. Review, Discussion and Possible Action to Appoint Commissioner Michael O'Connor to the Backstreet Business Advisory Board, which will review Industrial & PDR businesses (production, distribution, and repair). Presentation by Commissioner Ventura, Leg/Policy Committee Chair (Action Item)
10. Requesting through the Office of the Mayor that the Board of Supervisors Declare April 25-29 Small Business Week in San Francisco. Presentation by Director Briones (Action Item)
11. Committee Chair Reports
 - Legislation & Policy
 - Community Outreach Committee
 - Budget & Economic Development Committee
12. President's Report –allows the president to report on recent small business activities and make announcements (Discussion Item)
13. Director's Report –allows the director to report on recent small business activities and make announcements (Discussion Item)
14. New Business –allows the Commissioners to introduce new agenda items for future consideration by the Commission (Discussion Item)
15. General Public Comment –allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (Discussion Item)
16. Adjournment (Action Item)

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Small Business Commission >> Meetings

City and County of San Francisco

Small Business Commission



February 14, 2005

CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

MEETING MINUTES (Approved 4/11/05)

Monday, February 14, 2005 5:30 PM

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Small Business Commissioners

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts, Michael O'Connor, Dr. Raye Richardson, Jordanna Thigpen, Richard Ventura

Executive Director - Agnes Briones

Commission Secretary - Martha Yañez

Members Absent: None

Call to order:

Item 1 - Roll Call

The Small Business Commission met on Monday, February 14, 2005 in regular session. The meeting was called to order at 5:34PM

Item 2 - Approval of minutes of the December 13, 2004 meeting and the January 10, 2005 SBC Meeting (Action Item)

Commissioner Alberts made a motion to approve the draft minutes for the December meeting as submitted. Commissioner Thigpen seconded the motion. The draft minutes were passed unanimously. Commissioner Ventura made a motion to approve the draft minutes for the January meeting as submitted. Commissioner Thigpen

seconded the motion. The draft minutes for the January meeting were passes unanimously.

Item 3 - General Public Comment (Discussion Item)

Jose Ricardo Bondoc, of the non profit organization West Bay Filipino-Multi Service Center explained their services, including employment and training services to the neighborhood and the Filipino-American community. He said that their goal is to link their clients to employers and said that they are particularly interested in reaching out to small businesses to let them know about their services and resource of qualified employees.

Denise Beatty informed the Commission about a problem that she has been faced with. She stated that the problem began when she sought out an SBA loan for 200 thousand dollars for her magazine business. She asked for assistance from the Commission in the form of advice or advocacy. She asked how a bank gets preferred lenders status and said that she would like to have the bank that she dealt with reviewed.

Eliot Baker stated that he has been trying to start his own business. His business would be to take passport pictures out side of the Indian Consulate or other similar location. He said that he has been told that he could not get the necessary permits due to some conflicts with the codes. He asked for assistance with his issue.

Item 4- Presentation on Local, State & Federal Tax Credit Programs. Presentation by TTX staff (Discussion/Action Item)

David Augustine, of the Office of the Treasure and Tax Collector and Aimee Albertson of the Mayor's Office talked about the Working Families Tax Credit stating that it is a refundable tax credit of up to \$4,300 and said that one may not earn more than \$36,000 in order to qualify. They said the idea is to reward work. The less money one makes and the more children one has, the larger the refund. They reported that many folks had taken advantage of the credit last year, but said that still a lot did not. An added advantage this year is that the City will match the refund. They said that it is a unique private/public partnership and said that H&R Block had provided 1 million dollars and funded all the promotional materials for the program. They reported that no city money has been spent on the print materials/media. They encouraged the Commission to get out the word. David reported that the Treasure's office would be processing the applications and cutting the checks.

Item 5 - Review, Discussion and Possible Action on Proposed Ordinance File No. 050134 [Ordinance amending the San Francisco Administrative Code by adding Section 12S.2, to require City offices to display signs, brochures and forms for the San Francisco Working Families Credit Program] (Action Item)

Action: Commissioner Alberts made a motion for the Commission to approve the proposed ordinance. Commissioner Ventura seconded. Unanimous approval from the Commission.

Item 6-Review, Discussion and Possible Action on File No. 050071 [Ordinance amending Part II, Chapter X, of the San Francisco Municipal (Public Works) Code by adding Sections 1410-1413, requiring permanently affixed signs on shopping carts, requiring businesses with carts to post signs prohibiting removal from premises and to secure all carts during hours business is closed] (Action Item)

Item tabled for lack of presenter. Commissioner Sahagun requested for the Director to

draft a letter to the City Attorney to block the progression of this legislation, and any other piece that does not come to the commission when requested, pursuant to a motion that requires items to be forwarded to the Commission for review.

Item 7 - Review, Discussion and Possible Action to Approve File No. 041742 [Ordinance amending Public Works Code Article 5, Section 155 to delete the flower market location on the south side of Market Street within 100 feet of the west line of 5th Street] Presentation by Commissioner Ventura, Leg/Policy Committee Chair (Action Item)

Commissioner Ventura explained the situation at hand, stating that the Legislation and Policy Committee had heard the item in committee. He reported that both he and Director Briones had visited the location mentioned in the legislation and representatives of the Laurie Company. A representative from the Department of Public Works had also been present to verify testimony by the Laurie Company. He asked that the proposed ordinance be approved.

Action: Commissioner Ventura made a motion for the Commission to support the Proposed Ordinance. Commissioner Alberts seconded the motion. Unanimous approval from the Commission.

Item 8 - Review, Discussion and Possible Action to Approve File No. 050062 [Resolution instructing the Department of the Environment to complete a nexus study on a local fee for supermarket checkout bags] Presentation by Commissioner Ventura, Leg/Policy Committee Chair (Action Item)

Commissioner Ventura explained the legislation at hand, stating that the Legislation and Policy Committee had heard the item in committee. He explained that the legislation simply request the Department of the Environment to commission a Nexus study and said that they were in support of it. Stephen Cornell, a member of the public said that he owns a store and they use plastic bags. He said that he is already paying for this in the fees for the bag as well as through his garbage fees. He said that it would not be a fee, but rather a tax as such he said it must go to the voters.

Action: Commissioner Ventura made a motion for the Commission to support the Proposed Resolution. Commissioner Richardson seconded the motion. Unanimous approval from the Commission.

Item 9 - Review, Discussion and Possible Action to Appoint Commissioner Michael O'Connor to the Backstreet Business Advisory Board, which will review Industrial & PDR businesses (production, distribution, and repair). Presentation by Commissioner Ventura, Leg/Policy Committee Chair (Action Item)

Commissioner Ventura stated that the Commission had not heard from the public in regards to a recommendation for the advisory board. As such he said that the Legislation and Policy Committee had recommended for Commissioner O'Connor to serve on the Board. Commissioner O'Connor stated that he had met with Greg Asay of Supervisor Maxwell's office, who informed him that the Advisory Committee would not meet until April.

Action: Commissioner Ventura made a motion for the Commission to support the recommendation of Commissioner O'Connor to the Back Street Business Advisory Board. Commissioner Richardson seconded. Unanimous approval from the Commission.

Item 10-Requesting through the Office of the Mayor that the Board of Supervisors

Declare April 25-29 Small Business Week in San Francisco. Presentation by Director Briones (Action Item)

Director Briones reported that the Mayor's staff is willing to assist in drafting the legislation that would designate April 25-29 Small Business Week in San Francisco.

Action: Commissioner Alberts made a motion for the Commission to move forward and request through the Office of the Mayor that the BOS declare April 25-29 Small Business Week in San Francisco. Commissioner Ventura seconded. Unanimous approval from the Commission.

Item 11- Committee Chair Reports (Discussion Item)

• Legislation & Policy

Commissioner Ventura reported that Cliff Waldeck of the Small Business Network would be advising the Legislation and Policy Committee. He said that the SBN represents roughly 900 small businesses. He said that the Committee would be focusing on the following: encouraging developers to create smaller office spaces, DBE ordinance, and reviewing the permitting process. He reported that Assemblyman Mark Leno may be working to propose a vehicle license fee. Commissioner Sahagun proposed that this be referred to the Legislation and Policy Committee, stating that Assemblyman Leno wants to hear from the business community. Director Briones reported that Supervisor Ma had asked for a review of the permit process and suggested that the Commission may want to work with them.

• Community Outreach Committee

Commissioner Alberts reported that the plans for Small Business Week were coming along. She stated that Commissioner Thigpen is the Event Planning Committee Chair and said that she was very excited of the many components of small business week. She invited the public to attend the planning meetings, one of which was scheduled for the 16th of February in Room 034. Commissioner Thigpen briefly described the plans for small business week, announcing the Monday evening kick-off reception at City Hall from 6-9. She said Tuesday and Wednesday would feature professional seminars at the SBA. She said that the Chamber of Commerce would host Thursday's event with an evening expo and networking event at the Marriot. Friday and Saturday's events would be planned by the Council of District Merchants, and would involve events in some of the neighborhood commercial districts. She reported that the Commission would ask restaurants to donate food and beverages for the Kick-off event, which in turn she said would be a great marketing tool for the participating businesses.

• Budget & Economic Development Committee

Commissioner Ishimoto requested for the Budget Committee to meet sooner rather than later. Commissioner Sahagun agreed, stating that he would like to receive information on the total amount allocated for Small Business Week as well as the total amount allocated to Shop Outside the Box. He asked the Commission for their thoughts on funding a future Shop Outside the Box event. He said that perhaps this could be considered by the Community Outreach Committee at the next meeting. Commissioner Ishimoto reported that he would be meeting with the Filipino Consulate regarding an event that they are planning, and he said he would also be meeting with the SF Giants in the coming days. Finally, he reported that he had attended a seminar at the Public Library dedicated to history of Mary Ellen Pleasant, an African American woman entrepreneur of the 1950's. He suggested that the Commission

ought to recognize people in their entrepreneur history, stating that entrepreneurs are not just shop keepers, they are so much more.

Item 12 - President's Report -allows the president to report on recent small business activities and make announcements (Discussion Item)

Commissioner Sahagun reported that the Commission would review the possibility of issuing recognition awards for small business owners. He said that the idea was to give the first award out at the Kick-off event for small business week.

Item 13 - Director's Report -allows the director to report on recent small business activities and make announcements (Discussion Item)

Director Briones reported that she and Commissioner Thigpen were meeting weekly to plan small business week events. She reported that Supervisor Sandoval had recently introduced legislation on available commercial spaces, and said that Supervisor Ma was holding hearings on the permitting process. She reported that the Finance Committee would be hearing the item having to do with releasing money for MOED and said that she was hopeful that some of this money could be used for interns and to follow up on Steve Wertheim's report.

Item 14 - New Business -allows the Commissioners to introduce new agenda items for future consideration by the Commission (Discussion Item)

Commissioner Alberts stated that she would be canceling the February 17th standing meeting of the Community Outreach Committee. She asked staff to send out a notice and reschedule the meeting for February 28th to discuss Shop Outside the Box and Small Business Week. Commissioner Ventura asked staff to reschedule the Legislation and Policy Committee meeting to March 1st instead of the regular meeting date of March 7th. Commissioner Thigpen stated that the Commission should discuss the rules and regulations for Farmers Markets. Director Briones stated that the PUC has requested to make a presentation on the proposed sewer rate increases. Commission Secretary Martha Yanez announced that the Commissioners would have to file their annual Statements of Economic Interest. She distributed a form to each of the Commissioners and requested that they return it to her by March 28th. She also reported that the Department of the Environment has requested to give an update to the Commission on the Tobacco Permit requirements and enforcement.

Item 15 - Adjournment (Action Item)

Action: Commissioner Alberts made a motion adjourn. Commissioner Thigpen seconded. Unanimous approval from the Commission. The meeting was adjourned at 8:06PM.



City and County of San Francisco



SMALL BUSINESS COMMISSION

**Notice of Meeting & Agenda
For**

Monday, March 14, 2005

City Hall, Room 400

5:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

COMMISSIONERS:

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Norman Ishimoto, Vice President

Florence Alberts

Michael E. O'Connor

Dr. Raye Richardson

Jordanna Thigpen

Richard Ventura

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Agnes Briones, Executive Director
Commission Secretary, Martha Yañez

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2. Approval of the February 14, 2005 Small Business Commission meeting minutes (Action Item)
3. General Public Comment –allows members of the public to comment generally on matters within the Commission’s purview, as well as to suggest new agenda items for the Commission’s future consideration (Discussion Item)
4. Review, discussion and possible action on File No. 041071 [Ordinance amending Planning code Section 703.3 to prohibit formula retail uses in the North Beach Neighborhood Commercial District]. Presentation by David Owen, Legislative Aid to Supervisor Aaron Peskin (Discussion possible action item)
Explanatory Documents: File No. 041071
5. Presentation, discussion and possible action to partner with the Department of the Environment and the Small Business Network to host a reception that would recognize small businesses that have been certified as green businesses in San Francisco on June 3, 2005 for World Environment Day. Presentation by Sushma Dhulipela of the Department of the Environment (Action Item)
6. Presentation, discussion and possible action on the San Francisco Public Utilities Commission proposed new rate structure and rate increase. Presentation by SFPUC staff (Discussion possible action item)
Explanatory Documents: SFPUC proposed new rate structure & rate increase
7. Review, discussion and possible action for the Small Business Commission to support and launch a city-wide Small Business Awards program. Presented by Commissioner Thigpen (Action Item)
Explanatory Documents: SBC Recognition Awards proposal
8. Review, discussion and possible action on File No. 050254 [Ordinance to amend the Planning Code by amending section 703.3 to designate formula retail uses as a conditional use in the Small Scale Neighborhood Commercial District along Divisadero Street from Haight to Turk Streets and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan]. Commissioner Sahagun to refer to committee (Discussion possible action item)
Explanatory Documents: File No. 050254
9. Review, discussion and possible action on File No. 050215 [Ordinance amending subsection 6.22 (E)(8)(c) to revise the recourse hearing procedures for contractors challenging forfeitures for prevailing wage violations on public works projects] Presented by Commission Ventura, Legislation and Policy Committee Chair (Action item)
Explanatory Documents: File No. 050215
10. Review, discussion and possible action on File No. 050178 [Ordinance Regulating Junk Dealers] Presented by Commissioner Ventura, Legislation and Policy Committee Chair (Action item)
Explanatory Documents: File No. 050178
11. Review, discussion and possible action to approve the federal definition of “micro businesses” as the local definition for small businesses in San Francisco. Presented by Commissioner Ventura, Legislation and Policy Committee Chair (Action Item)
12. Legislation and Policy Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion Item)
 - Develop a work plan for streamlining the permitting process and/or creating an emergency permitting process
 - Update on committee members meetings with department heads and Supervisors
 - Update on Eliot Baker (entrepreneur)

13. Community Outreach Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion Item)
 - Small Business Week update (Commissioner Thigpen)
14. Budget and Economic Development Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion Item)
 - Small Business Commission 2005/2006 budget
15. President's Report –allows the president to report on recent small business activities and make announcements (Discussion Item)
16. Executive Director's Report –allows the director to report on recent small business activities and make announcements (Discussion Item)
17. New Business –allows the Commissioners to introduce new agenda items for future consideration by the Commission (Discussion Item)
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Small Business Commission >> Meetings

City and County of San Francisco

Small Business Commission



March 14, 2005

CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

MEETING MINUTES (Approved 4/11/05)

Monday, March 14, 2005 5:30 PM

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____ Small Business Commissioners ____

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts, Michael O'Connor, Dr. Raye Richardson, Jordanna Thigpen, Richard Ventura

Executive Director - Agnes Briones

Commission Secretary - Martha Yañez

Members Absent: None

Call to order:

Item 1 - Roll Call

The Small Business Commission met on Monday, February 14, 2005 in regular session.
The meeting was called to order at 5:34PM

Item 2 - Approval of minutes of the February 14, 2004 meeting minutes (Action Item)

This Item was tabled for the next meeting.

Item 3 - General Public Comment (Discussion Item)

Rodger Gordon, Executive director of Urban Solutions asked for the support of the Small Business Commission in the release of finances on reserve at the Finance Committee. He announced that the Finance and Budget Committee would hear a motion to release the funds on Thursday morning at 11AM.

Item 4- Review, discussion and possible action on File No. 041071 [Ordinance amending Planning code Section 703.3 to prohibit formula retail uses in the North Beach Neighborhood Commercial District]

David Owen, On behalf of Supervisor Aaron Peskin discussed North Beach's historical resilience to the encroachment of Downtown formula retail uses. Members in the North Beach Neighborhood were concerned that a case by case approach was taking too much time, effort, money and resources for both the neighborhood activists and the project sponsors and developers who wanted to move ahead with formula retail. He stated that the ordinance was drafted in response to that, and said that it would add the North Beach Neighborhood Commercial District to the existing formula retail restriction in the planning code. The area proposed does not include Broadway; it starts just north of Broadway and Columbus and ends just south of Bay Street. The effort is supported by North Beach Chamber of Commerce, North Beach Merchant Association, and the Telegraph Hill Dwellers. He said that the question is whether this is good for all communities and said that one must look at this issue on an individual basis depending on the neighborhood. Commissioner Ventura stated that the legislative committee could not come up with a recommendation for the full commission. He said that the Commission should think of like to approach the Formula Retail issue. Commissioner O'Connor proposed that the issue of affordability comes into play. He said that in Hayes Valley, where chain stores have been banned, has left the neighborhood with high priced boutiques. With that being said, the commissioner followed up with his support of the legislation. Commissioner Alberts commented that she would like to hear from someone in the affected neighborhood. Commissioner Thigpen announced her support of the legislation because of the large support in the Neighborhood. Commissioner Sahagun expressed his concern with the issue that some local small businesses want to expand but this legislation could hurt their efforts. He asked if there would be an exemption for such businesses. David Owen replied that when Supervisor Gonzales researched the issue, exceptions for certain businesses were found to be discriminatory and therefore illegal. Commissioner Ventura expressed concern in finding out what some of the other businesses not with the North Beach Merchant think about the issue. David Owen replied there will be a larger turnout for the Land Use committee meeting. Commissioner Sahagun asked whether or not the proposed area can be downsized David Owen stated that no concerns have yet been raised to prompt revision.

Action: Commissioner O'Connor motioned to support the Legislation Commissioner Alberts seconded. The motion passed with a vote of 6 in favor with 1 abstention (Commissioner Ventura)

Item 5 - Presentation, discussion and possible action to partner with the Department of the Environment and the Small Business Network to host a reception that would recognize small businesses that have been certified as green businesses in San Francisco on June 3, 2005 for World Environment Day.

Sushma Dhulipela opened with the correction that this item was to discuss a possible partnership with the San Francisco Green Business Program and not just the Department of the Environment. They would like a point person from the Small Business Commission to work with them as they move forward in organizing The World Environment Day that will be held June 1- June 5. They would like to have the Small Business Commission publicize the Green Business Program to the Small Business Community. Commissioner Sahagun commented that the program should continue

it's partnership with the Department of Public Health because of the great outreach the department already has with the small business community through their inspections and their work with helping businesses become Green. Action: Commissioner Ventura made a motion to appoint Commissioner Thigpen as the point person from the Commission to the Department of the Environment for World Environment Day issues. Commissioner Sahagun seconded. Unanimous approval from the Commission

Item 6-Presentation, discussion and possible action on the San Francisco Public Utilities Commission proposed new rate structure and rate increase.

Chandra Johnson of the Public Utilities Commission (PUC) explained that the proposed rate increases are for water and sewer rates. She said the most important aspect of the rate increase is informing the public what the rates actually pay for. She began by stating that the current system is very old and there is multiple system deficiencies that the increase in rates will help improve. The current response method is a reactive mode meaning that flats in the system are dealt with as they come. There was an eleven percent increase in sewer rates last year while water remained constant. A couple weeks before the PUC announced a \$150 million dollar five year sewer improvement program. Brahm Elias presented the business side of the program to the Commission. He stated, water rates have been frozen since 1998 and the only way to increase the rates is if the increase pays for debt service on specifically voter approved bonds. It is acceptable to raise rates under proposition H to cover the cost of bonds from 2002. The proposed rate increase is 15% next year and another 15% the following year. Water portion typically makes up 1/3 of the PUC bill. On the sewer side there is an organization called the Rate Fairness Board sets the policy goals for the PUC in regards to sewer rate increase. Calculating the Business Rate for utilities is quite difficult, it is divided into four components to determining the "strength" of sewage: Volume, Oil & Grease, Total Suspended Solids, and Chemical Biological Oxygen Demand. Overall rate increases are going up thirteen percent for both residential and commercial customers. Rates on business come from Federal Standards, Standard Industrial Classification (SIC) Codes. Commissioner Sahagun suggested a more detailed statement with the bill for small businesses so that they are informed of the fluctuations in the bill and how they can contact the agency if they have a bill related concern. Chandra Johnson stressed the fact that the PUC wants to be more in contact with the public in the overall plan to receive input.

Item 7 - Review, discussion and possible action for the Small Business Commission to support and launch a city-wide Small Business Awards program.

Commissioner Thigpen received no input on improving the current program and asked the commission for the

Program's approval.

Action: Commissioner Alberts made a motion to approve and move forward with the program.

Commissioner Ventura seconded the motion. The Commission unanimously approved the motion.

Item 8 - Review, discussion and possible action on File No. 050254 [Ordinance to amend the Planning Code by amending section 703.3 to designate formula retail uses as a conditional use in the Small Scale Neighborhood Commercial District along Divisadero Street from Haight to Turk Streets and making findings of consistency with the priority policies of Planning Code Section 101.1 and the

General Plan].

Commissioner Sahagun referred this item to the Legislation and Policy Committee. Commissioner O'Connor and Commissioner Ventura agreed to accept it as an item for the legislative Committee.

Item 9 - Review, discussion and possible action on File No. 050215 [Ordinance amending subsection 6.22 (E)(8)(c) to revise the recourse hearing procedures for contractors challenging forfeitures for prevailing wage violations on public works projects]

Commissioner Ventura commented that the piece of legislation was reviewed by the Legislation and Policy Committee and that the committee unanimously voted to approve the changes.

Action: Commissioner Thigpen made a motion to support the legislation. Commissioner Richardson seconded. **Vote:** Passed Unanimously.

Item 10-Review, discussion and possible action on File No. 050178 [Ordinance Regulating Junk Dealers] Commissioner Ventura commented that this piece of legislation had been reviewed and the only issue that came up pertained to burglaries of junk goods. The legislative committee unanimously voted to obtain commission support on the legislation changes.

Action: Commissioner Ventura made a motion to support legislation, Commissioner Thigpen second.

Vote: Passes Unanimously.

Item 11- Review, discussion and possible action to approve the federal definition of "micro businesses" as the local definition for small businesses in San Francisco.

Director Briones stated that Lennar, a developer is trying to establish a small business assistance program and could not develop a definition to define Small Business thus granting accessibility to the desired market. The city attorney set a bench mark based on the exemption of healthcare provision do to the employed staff. Commissioner Ventura stated he was currently looking at definitions provided by the State and Federal Government. He suggested that the benchmark should rely on the number of employees although that number has not yet been determined. Director Briones stated that in her meeting with the City Attorney the overall decision leaned toward the Federal definition of "Micro Business" which safeguards Small Businesses in San Francisco particularly in Bay View Hunters Point. Commissioner Richardson commented on amending the definition to include wording of 50 full time employees. Commissioner Sahagun commented that there should be an exemption for the certain businesses that employ a vast amount of people because of the nature of the industry in the definition.

Item 12 - Legislation and Policy Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion Item)

- Develop a work plan for streamlining the permitting process and/or creating an emergency permitting process - The committee has taken a step back to try to find the understanding of the permitting process by the Small Business Community. The committee needs to hear from various departments about their permits, in terms of: the people that receive the permits, number of companies, and typical time frames of the process.

- **Update on committee members meetings with department heads and Supervisors** - The committee has already heard from various departments and the overall consensus was that they would like to see the Small Business Commission streamline the review process for legislation. The general inquiry is whether there can be a combination of hearing legislation as opposed to the current situation where the Legislation and Policy Committee hears comments and then are also brought before the full Commission; Furthermore if the decisions can be presented before the relevant party explaining the rationale behind the decision.
- **Update on Eliot Baker (entrepreneur)** - Eliot Baker is a street photographer who is trying to receive a permit but due to the outdated nature of current legislation the process to acquire this permit under the current technological nature, making it un-obtainable to Mr. Baker. The current issue with the police department is working out the space needed to contain the business Mr. Baker proposes.

Item 13 - Community Outreach Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion Item)

- **Commissioner Alberts commented on the support of the Small Business Community in terms of connecting them with more opportunities and education in the issue of Government Contracting.** She recommended the forming of a sub-committee on this item. The Thursday evening meeting of the Community Outreach Committee was canceled and proposed that the next meeting be set for the third Thursday of April. Director Briones commented that items were already in motion pertaining to the issue of Government Contracting.
- **Small Business Week update (Commissioner Thigpen)** - There are currently sixteen different restaurants that will be donating food for Small Business Week which are all graduates of the Small Business Development Center that the Commission currently funds. Commissioner Thigpen asked that the commissioners pass out the invite to the various networks they are connected. The week in short: Tuesday and Wednesday of Small Business Week are the SBA seminars, Thursday night are events run by the Chamber of Commerce, Friday the event goes to the neighborhoods, Saturday is the side walk sales with the Fillmore doing a Wine Walk. In terms of publicity, a press release has been composed and is ready for distribution to the various media sources.

Item 14 - Budget and Economic Development Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion Item)

- **Small Business Commission 2005/2006 budget** by Commissioner Ishimoto- The Budget and Economic Development Committee approved SBC budget. One of the guiding principles of the budget is the underlying belief that the Commission should be doing projects in each of the supervisor districts. There were four sections of the budget reviewed: Marketing and Education, Business Attraction and Retention, Community Outreach and Promotion, and Administration. The annual total for the drafted budget is \$360,486. The Budget is slated to be approved at the next Small Business Commission meeting.

Item 15 - President's Report -allows the president to report on recent small business activities and make announcements (Discussion Item)

Commissioner Sahagun met with Workforce Solutions and they are interested in working with the Small Business Commission. Workforce Solutions would like to come to a full Commission meeting in April to give a presentation on what their program is

about. He reported that he also met with the Youth Commission about their Summer Youth Employment Program, and reported that Commissioner Alberts met with Darlene Chiu to discuss press release process and opportunities.

Item 16 - Executive Director's Report-allows the director to report on recent small business activities and make announcements (Discussion Item)

Agnes Briones The first item was in regards to connecting small businesses to government contracting. The staff is pursuing this issue by working with the Office of Contract Administration and the Small Business Development Center. The second item regarded a business tax registration amnesty program. The mayor's policy staff and the Treasurer's office policy staff have met with Director Briones to develop some type of legislation. The objective of this piece of legislation is to be revenue neutral. The final item is a piece of Legislation that Supervisor Maxwell will be introducing. She wants to know what the Small Business Commission is doing in terms of outreach to small businesses, more specifically in their efforts towards helping businesses become "Green".

Item 17 - New Business -allows the Commissioners to introduce new agenda items for future consideration by the Commission (Discussion Item)

Commissioner Ishimoto stated he would like to see a piece of legislation by Supervisor Peskin concerning "Crab Pots" to be taken up by a committee or the full Small Business Commission.

Commissioner Richardson stated that she would like to be given access to plans that have been agreed upon by the planning committee.

Commissioner O'Conner stated that he will be presenting some legislation at a legislative committee that will address Commissioner Richardson's concerns.

Item 18 - General Public Comment -allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (Discussion Item)

Nicholas Rosenburg extended his gratitude towards the work being done by the legislative committee.

Item 19 - Adjournment (Action Item)

Commissioner Thigpen Motion to Adjourn. Commissioner Ventura Seconded. The meeting was adjourned at

8:00 P.M.



City and County of San Francisco



SMALL BUSINESS COMMISSION

**Notice of Meeting & Agenda
For**

Monday, April 11, 2005

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City Hall, Room 400

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5:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

COMMISSIONERS:

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts

Michael E. O'Connor

Dr. Raye Richardson

Jordanna Thigpen

Richard Ventura

Agnes Briones, Executive Director
Commission Secretary, Martha Yañez

1. Roll Call for the April 11, 2005 meeting of the Small Business Commission
2. Approval of the February 14 and March 14, 2005 Small Business Commission meeting minutes (Action Item)
3. General Public Comment –allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (Discussion Item)
4. Presentation and discussion on Business Services offered by Workforce Solutions. Presentation by Olga Munoz, Account Manager of First Source Hiring Program (Discussion Item)
5. Review, discussion and possible action on File No. 050516 [Resolution authorizing the San Francisco Department of the Environment to submit an application for the renewal of a Recycling Market Development Zone]. Presentation by Legislation & Policy Committee Chair, Richard Ventura. (Discussion possible action item)
Explanatory Documents: File No. 050516
6. Review, discussion and possible action on File No. 050434 [Ordinance amending the San Francisco Administrative Code to Establish Graffiti Violation Rewards and Clarifying uses of littering and nuisance reward fund monies] Presentation by Legislation & Policy Committee Chair, Richard Ventura (Discussion possible action item)
Explanatory Documents: File No. 050434
7. Presentation, discussion and possible action for the Small Business Commission to decide on a working definition of small business, per a recommendation from the Legislation and Policy Committee. Presentation by Legislation and Policy Committee Chair, Richard Ventura
8. Legislation and Policy Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion Item)
 - Update on streamlining the permitting process and/or creating an emergency permitting process
 - Update on committee members meetings with department heads and Supervisors
 - Report on proposed process for working with BOS regarding legislation
9. Community Outreach Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion Item)
 - Small Business Week update (Commissioner Thigpen)
 - Outreach Education and more
10. Budget and Economic Development Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion Item)
 - August business/community event
11. President's Report –allows the president to report on recent small business activities and make announcements (Discussion Item)
12. Executive Director's Report –allows the director to report on recent small business activities and make announcements (Discussion Item)
 - List of legislation pending review (DBE Ordinance, Bike Plan, Formula Retail, Crab Ordinance etc.)
13. New Business –allows the Commissioners to introduce new agenda items for future consideration by the Commission (Discussion Item)
 - SB 582 Slotting Fee Bill (Referred to Legislation and Policy Committee for future consideration)
14. General Public Comment –allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (Discussion Item)
15. Adjournment (Action Item)

Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.

Explanatory Documents: Copies of proposed legislation listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 436. Please call Martha Yanez (415) 554-6134 to make arrangements for pick up or review.

1 DR. CARLTON B. GOODLETT PLACE, ROOM 448 SAN FRANCISCO, CALIFORNIA 94102

(415) 554-6134

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that city operations are open for the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083. To obtain a free copy of the Sunshine Ordinance contact:

Adele Destro, Interim Administrator
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
Office: (415) 554-7724
Fax: (415) 554-5163
E-Mail: sotf@sfgov.org

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org.

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Effective January 21, 2001, the Board of Supervisors amended the Sunshine Ordinance by adding the following provision: The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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Small Business Commission >> Meetings

City and County of San Francisco
Small Business Commission



April 11, 2005

CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

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MEETING MINUTES (Approved 5/9/05)

Monday, April 11, 2005 5:30 PM

Small Business Commissioners

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts, Michael O'Connor, Dr. Raye Richardson, Jordanna Thigpen, Richard Ventura

Executive Director - Agnes Briones

Commission Secretary - Martha Yañez

Members Absent: Richard Ventura, Ray Richardson

Call to order:

Item 1 - Roll Call

The Small Business Commission met on Monday, February 14, 2005 in regular session.
The meeting was called to order at 5:35PM

Item 2 - Approval of minutes of the February 14, 2004 meeting minutes (Action Item)

Action: Commissioner Thigpen moved to approve the February 14th meeting minutes as submitted. Commissioner Alberts seconded. Unanimous approval from the Commission.

Item 3 - General Public Comment (Discussion Item)

Scott Hauge with Small Business California commented on a recent survey they administered. He reported that they had received roughly 500 responses to the survey. Some of the responses included 91% of those surveyed stating health care as a top or high priority, followed by workers comp. He said 77% said taxation was a top priority, followed by education at 75%, and access to capital was rated at 55%. He said that they will take the information gathered and begin to work on the issues. On the energy issue, he reported that Hank Ryan would be administering a pilot program in 2006. He reported that 70% of those surveyed showed strong support for both healthy families and on bill financing. He stated that 2006 looks good for on bill financing.

Item 4- Presentation and discussion on Business Services offered by Workforce Solutions.

Olga Munoz of the One Stop Shop made a presentation to the commission of the services offered by the One Stop Shop. She said that the services they offer will cut cost and increase retention for small businesses in San Francisco, stating their services as a win win opportunity for both employer and job seeker alike. Some of the benefits of using Workforce Solutions are that they provide a single point of contact for employers. Further more she said that they provide rapid response to the employer. She reported that they meet the needs of employers by registering new applicants every week, and by pre-screening applicants, which includes doing reference checks and the like. She said that they also offer assistance with applying for tax credits if applicable, and they provide assistance for cases which require on the job training. She ended by inviting the Commission to a business mixer at the One Stop Shop on Wednesday, April 20 from 5:30-8PM. Pat Christenson, a member of the public asked how the One Stop Shop differs from the WIB. Olga Munoz responded stating that they are actually part of the WIB.

Item 5 - Review, discussion and possible action on File No. 050516 [Resolution authorizing the San Francisco Department of the Environment to submit an application for the renewal of a Recycling Market Development Zone]

Commissioner Thigpen reported that the item had been heard in the Legislation and Policy Committee and said that it would renew an existing contract with the State that was set to expire. She said that the committee supported it. Scott Hauge, a member of the public asked if this is supported by everyone. Commissioner Thigpen responded stating that she could only speak to the fact that the meeting was noticed to the public and no one came to speak against it.

Action: Commissioner O'Connor made a motion to approve the resolution. Commissioner Ishimoto seconded. Unanimous approval from the Commission

Item 6-Review, discussion and possible action on File No. 050434 [Ordinance amending the San Francisco Administrative Code to Establish Graffiti Violation Rewards and Clarifying uses of littering and nuisance reward fund monies]

Commissioner Thigpen stated that the item was heard at the Legislation and Policy Committee and was a more contentious piece of legislation. She referred to Supervisor Elsbernd's legislation regarding graffiti and said that while some of their

comments had not been addressed with respect to that piece of legislation, the one currently being proposed is different, and thus they supported it. However she stated that she would allow Commissioner O'Connor to speak to his opposition of it. Commissioner O'Connor said that this is a hot issue right now. He stated his support for youth issues and said that if the city can push for criminalization of graffiti and graffiti artists, then the city ought to also seek out places where this type of art can occur. Stephen Cornell, a member of the public stated that he would hope that the reward would not be limited to city employees, referencing a similar award years back. Furthermore, he said that there is a law that prohibits selling graffiti items to minors, stating that certain materials must be kept locked up. He said that better enforcement of this law is required.

Action: Commissioner Alberts made a motion to approve. Commissioner Thigpen seconded. Commissioner Sahagun motioned to amend the motion to add that violators of the law that requires that graffiti products be locked up be prosecuted. Commissioner Alberts accepted the amendment. The motion passed 4 to 1.

Item 7 - Presentation, discussion and possible action for the Small Business Commission to decide on a working definition of small business, per a recommendation from the Legislation and Policy Committee

Director Briones stated that the committee had come up with what they believed was a good working definition of small business. She said that this definition came about after several meetings with various folks including the Treasurer & Tax Collector, as well as folks in the LA Office of Small Business, and said that for the interim they would like to define small business as a business with 50 or fewer full time employees. Commissioner Sahagun suggested that the definition should differ from industry to industry. Commissioner Alberts suggested that the number of employees be greater still, to be in line with Federal standards and other so there is no discrepancy. Scott Hauge, a member of the public and with Small Business California, stated that this is an important decision and recommended a number of 100 employees. He said as the numbers look now, if the definition is 50, roughly 37% of employees will work for a small business. If 100, then about 52% of employees will work for a small business. Commissioner Ishimoto stated that Mr. Hauge had a good point and suggested going with his definition. Commissioner Sahagun requested for this to be taken back to the Legislation and Policy Committee for consideration. He also recommended that the committee consider a long term plan and exemptions.

Item 8 - Legislation and Policy Committee Report -allows the Chair to report on recent committee activities and make announcements

This item was tabled due to the absence of Chair Ventura

Item 9 - Community Outreach Committee Report -allows the Chair to report on recent committee activities and make announcements

Commissioner Thigpen stated that she was humbled by the overwhelming response to Small Business Week. She said that the SBA had reported that San Francisco is the only city to do something of this magnitude in the United States outside of Washington. She reported that the kick-off event is at capacity. Commissioner Ishimoto reported that the Filipino American Chamber would have an event on Wednesday of that week and said that they would love for the Mayor to talk to the media about it. Commissioner Sahagun thanked Commissioner Thigpen and commended her and staff for the many events that are planned for the week. Commissioner Alberts announced that she would be stepping down as chair of the Community Outreach Committee effective May 2005 per the upcoming election of

officers. Pat Christenson, a member of the public and with the Inner Sunset Merchants Association announced that they would be hosting a networking event at the Canvas Café at 9th and Lincoln from 6-8PM on Friday of SBW. Scott Hauge, a member of the public commented that it should not be a surprise that San Francisco is the only city doing something of this magnitude, adding that this commission is the only Chartered small business commission in the United States and said that it is a fact that should be stressed. Commissioner Ishimoto commented that he would like this to be covered by the Press. Commissioner Alberts said that she would like the SBC's role to be emphasized in the press, stating that it would be a great opportunity for the commission to get some publicity. She said the commission ought to have literature on the commission at all events.

Item 10-Budget and Economic Development Committee Report -allows the Chair to report on recent committee activities and make announcements

Commissioner Ishimoto reported that the new standing meetings of the committee would be at 4pm the day of the full commission meetings, and possibly earlier depending on the agenda. He said that they hope to gather data and possibly have a report on the state of small businesses in San Francisco. He reported on his efforts in working with the Filipino American Chamber of Commerce, specifically the Pistahan event, stating that they hope to obtain sponsorship so that small business providers could showcase at no cost.

Item 11- President's Report -allows the president to report on recent small business activities and make announcements

Commissioner Sahagun apologized for not placing some items on the agenda. He said that they would be on the May agenda. He also commended the committees and staff for all the hard work and efforts on behalf of small businesses.

Item 12 - Executive Director's Report-allows the director to report on recent small business activities and make announcements

Director Briones reported that there is a draft of the DBE ordinance and said that it is not actual legislation yet, but said that she would make a copy available to member of the commission if they were so interested. She said that the spirit of the legislation is not to violate any laws, and also looks closely at prime contracting, bids and set asides, and DBE's as sub contractors, specifically assisting them with bonding and insurance. She reported that the full legislation would be introduced in the next couple of weeks and suggested that the Commission hold its own hearings. She announced that there would be a stakeholders meeting regarding the precautionary purchasing ordinance this Wednesday 4/13 at 8:15AM.

Item 13 - New Business -allows the Commissioners to introduce new agenda items for future consideration by the Commission

Commissioner Alberts asked about the election of officers and if they would take place at the May meeting. Commissioner Ishimoto requested to refer SB 582 to the Legislation and Policy Committee. Director Briones commented on a recent letter from the Department of Parking and Traffic regarding yellow zones

Item 14 - General Public Comment -allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration

Scott Hauge announced that Stephen Cornell, a past president of the Commission has

been awarded the West Coast Advocate of the Year award. He recommended that a congratulatory letter be sent to him from the Commission. Commissioner Ishimoto stated that he regards Stephen as an uncle figure and suggested that the commission not only write him a letter, but asked if they could do anything else.

Item 15 - Adjournment (Action Item)

Commissioner Thigpen Motion to Adjourn. Commissioner Alberts Seconded. The meeting was adjourned at

6:50 P.M.



City and County of San Francisco
SMALL BUSINESS COMMISSION



Notice of Social Gathering

For

Small Business Week Kick-off Reception

City Hall, Rotunda and North Light Court

On

Monday, April 25, 2005

6:00PM-9:00PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

COMMISSIONERS:

David Sahagun, President
Norman Ishimoto, Vice President
Florence Alberts
Michael E. O'Connor
Dr. Raye Richardson
Jordanna Thigpen
Richard Ventura

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Agnes Briones, Executive Director
Commission Secretary, Martha Yañez

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social
gathering

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that city operations are open for the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083. To obtain a free copy of the Sunshine Ordinance contact:

Adele Destro, Interim Administrator
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
Office: (415) 554-7724
Fax: (415) 554-5163
E-Mail: sotf@sfgov.org

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City and County of San Francisco



SMALL BUSINESS COMMISSION

Notice of Meeting & Agenda For

Monday, May 9, 2005

City Hall, Room 400

5:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

COMMISSIONERS:

David Sahagun, President
Norman Ishimoto, Vice President
Florence Alberts
Michael E. O'Connor
Dr. Raye Richardson
Jordanna Thigpen
Richard Ventura

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Commission Secretary, Martha Yañez

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1. Roll Call for the May 9, 2005 meeting of the Small Business Commission
2. Approval of the April 11, 2005 Small Business Commission meeting minutes (Action Item)
3. General Public Comment –allows members of the public to comment generally on matters within the Commission’s purview, as well as to suggest new agenda items for the Commission’s future consideration (Discussion Item)
4. President’s Report –allows the president to report on recent small business activities and make announcements (Discussion Item)
5. Review, discussion and possible action on File No. 050595 [Ordinance to establish a comprehensive City-wide Environmentally Preferable Purchasing Program for purchases of Commodities; and making conforming changes in Administrative Code Section 21.16 and 21.30]. Presentation by Sarah He, Legislative Aid to Supervisor Sophie Maxwell (Discussion possible action item) *Explanatory Documents: File No. 050595*
6. Review, discussion and possible action on File No. 050692 [Resolution enacting temporary “Street Closed to Vehicular Traffic” regulation on Scott Street between Lombard and Chestnut Streets from 1:30PM to 8:15PM on every Tuesday between May 24, 2005 through October 25, 2005]. Presentation by Rob Black, Legislation Aide to Supervisor Alioto-Pier (Discussion possible action item) *Explanatory Documents: File No. 050692*
7. Review, discussion and possible action on File No. 050693 [Resolution allowing for occupancy of a portion of the sidewalk on the east side of Fillmore between Chestnut and Bay street from 8AM to 3PM on every Saturday between May 28, 2005 through October 29, 2005] Presentation by Rob Black, Legislation Aide to Supervisor Alioto-Pier (Discussion possible action item) *Explanatory Documents: File No. 050693*
8. Presentation and discussion on Department of the Environment’s services for small businesses. Presentation by Sushma Dhulipala, Commercial Toxics Reduction Program Coordinator for DOE (Discussion Item)
9. Presentation, discussion and possible action for the Small Business Commission to approve the Small Business Advocate Position for California. Presentation by Scott Hauge (Discussion possible action Item)
10. Presentation, discussion and possible action for the Small Business Commission to decide on the future of the Shop Outside the Box program (Discussion possible Action Item)
11. Legislation and Policy Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion Item)
12. Community Outreach Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion Item)
13. Budget and Economic Development Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion Item)
14. Election of President of the Small Business Commission (Action Item)
15. Election of Vice President of the Small Business Commission (Action Item)
16. Executive Director’s Report–allows the director to report on recent small business activities and make announcements (Discussion Item)
17. New Business –allows the Commissioners to introduce new agenda items for future consideration by the Commission (Discussion Item)
18. General Public Comment –allows members of the public to comment generally on matters within the Commission’s purview, as well as to suggest new agenda items for the Commission’s future consideration (Discussion Item)
19. Adjournment (Action Item)

Public Comment will be taken before or during the Small Business Commission’s consideration of each agenda item. Explanatory Documents: Copies of proposed legislation listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 436. Please call Martha Yanez (415) 554-6134 to make arrangements for pick up or review.

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City and County of San Francisco
Small Business Commission



May 09, 2005

CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

MEETING MINUTES

Monday, May 9, 2005 5:30 PM

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____ Small Business Commissioners ____

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts, Michael O'Connor, Dr. Raye Richardson, Jordanna Thigpen, Richard Ventura

Executive Director - Agnes Briones

Commission Secretary - Martha Yañez

Members Absent: Ray Richardson

Call to order:

Item 1 - Roll Call

The Small Business Commission met on Monday, May 9, 2005 in regular session. The meeting was called to order at 5:35PM

Item 2 - Approval of minutes of the April 11, 2005 meeting minutes (Action Item)

Action: Commissioner O'Connor made a motion to approve the April 11th meeting minutes with the amendment per Commissioner Alberts. Commissioner Alberts seconded the motion. The amended minutes were approved unanimously by the Commission.

Item 3 - General Public Comment (Discussion Item)

Scott Hauge, owner of Cal Insurance in San Francisco, stated that an issue had come up the previous week that he believed the Commission should be aware of. He stated that upon contacting the Treasure and Tax Collector's office for a tax related issue with respect to his business, he became aware of three items that were past due. While he took care of the problem and paid the bill, he was subject to penalties. He expressed his concern that this may be happening to other tax payers as well. He said that the city has no system to bill folks for past dues and said that there ought to be a mechanism in place to inform tax payers of any past dues upon billing them. Commissioner Sahagun thanked Mr. Hauge for his comments and directed the Director to follow up with the Treasurer's office. Patricia Vaughey of the Marina Cow Hollow Neighbors in Action reported that the neighborhood event that was planned for the April 23rd was unfortunately rained out and said that it would be rescheduled to May 23rd. She invited the Commission to attend.

Item 4 - President's Report -allows the president to report on recent small business activities and make announcements

Commissioner Sahagun commended everyone who helped make Small Business Week a huge success in San Francisco. He said he looks forward to next years events. He reported that he had attended all the networking events on Friday of SBW. He said they were all great events and he was proud of the unique opportunity that these events provided for small businesses to come together. He asked that members of the public consider this as they prepared to discuss some controversial proposals. He asked that they be considerate of each others feelings.

Item 5 - Review, discussion and possible action on File No. 050595 [Ordinance to establish a comprehensive City-wide Environmentally Preferable Purchasing Program for purchases of Commodities; and making conforming changes in Administrative Code Section 21.16 and 21.30]

Sara He, Legislative Aide to Supervisor Sophie Maxwell reported that on April 5th, Supervisor Maxwell introduced an ordinance to establish a comprehensive environmentally preferable city purchasing program on how the City purchases commodities. She reported that there is a lot of support at the Board of Supervisors for the proposed legislation, including support from Supervisors Ammiano, Daly, Mirkarimi and McGoldrick. She reported that in 2003 San Francisco passed the Precautionary Principle Ordinance, which was then supported and introduced by then Mayor Brown. She said that the intent

of the 2003 ordinance is to really serve as a policy framework to develop laws for a healthier San Francisco. The ordinance is aimed to minimize the harm to people and the environment by taking preventative action when feasible. She said their proposed Purchasing Ordinance is the first demonstration of that principle, adding that when passed, it will apply the principle of the 2003 ordinance. She said that environmentally preferable purchasing is important because it means that the city will reduce overall toxicity in people and the environment. It also means that the City will reduce its contributions to global climate changes by using recycled products etc. She said that this can help stimulate the creation of new businesses. She said that the City spends hundreds of millions of dollars buying goods and services each year and by exercising its economic power, the city could influence and encourage market development of new and healthy and environmentally preferable technologies and products. She said that the passing of the ordinance is good economics and science. She said they look forward to the commissions support. Neil Gendel, Director of Healthy Children Organizing Project, a non profit whose goal is to protect children ages 0-5, including fetus', from exposure to environmental hazards in their homes and elsewhere. For this reason he said it is important for his organization to work with others in support of this precautionary purchasing ordinance. Debbie Rafael of the Department of the Environment gave an example of describing what the precautionary principle would require city departments to do. She said it requires city departments to ask the question of if it's necessary. For example, pressure treated wood contains a lot of arsenic, so the precautionary principle requires that they ask if there is a safer alternative, then seek out those products and look to see if they are cost effective. She said that the city needs to lead by example. She said that this is a beginning and they hope to provide a list of alternative products in the future to aid the business community. Commissioner Alberts asked how they would keep this cost competitive. Debbie Rafael replied stating that while cost is absolutely a factor, if a product is considerably more expensive, then the department would be able to use discretion and opt out because it would not be worth it in that case. Commissioner Ventura said that he thought that this was a good beginning and said that it would be great for the commission to work with the supervisor and other city departments on this effort. He asked what the next steps would be. Sarah He stated that the legislation would go to committee and then to the full board the following week, at which time they anticipate it would be voted in. Commissioner Ishimoto referred to a letter that was sent to the commission by Mr. Cliff Waldeck, a small business owner of Waldeck Supplies. He explained that Mr. Waldeck seemed to have some concerns with the legislation not mentioning specifically local small businesses. Debbie Rafael stated that she was familiar with Mr. Waldeck and his concerns; however she said that currently that language that he speaks about is not in the legislation. Stephen Cornell, a member of the public and owner of Brownies Hardware stated that his business does a lot of recycling. He said that these alternative products are out there, but he said that they may be cheaper when purchasing them from a distributor in Delaware versus locally. As such he encouraged the inclusion of language that would encourage purchasing these products from local small businesses.

Action: Commissioner Ventura made a motion to support the draft legislation with the addition of the language that encourages buying from local small businesses first. Commissioner Alberts seconded. Unanimous

approval from the commission.

Item 6 & 7-Review, discussion and possible action on File No. 050692 [Resolution enacting temporary "Street Closed to Vehicular Traffic" regulation on Scott Street between Lombard and Chestnut Streets from 1:30PM to 8:15PM on every Tuesday between May 24, 2005 through October 25, 2005] & Review, discussion and possible action on File No. 050693 [Resolution allowing for occupancy of a portion of the sidewalk on the east side of Fillmore between Chestnut and Bay street from 8AM to 3PM on every Saturday between May 28, 2005 through October 29, 2005]

Rob Black legislative aid to Supervisor Michela Alioto-Pier stated that last year the Marina Merchants had come to them asking that they help them in having a farmers market in their neighborhoods. He said they did and there was a market, however he said there were some issues with it. He said they reconfigured the layout of the market in an effort to appease those who had issues with it, stating that while it was a little better there was not consensus. He said that the Marina Merchants approached them again this year, and said that the two proposed pieces of legislation are the two options that they are looking at for this year's market. The first piece of legislation would have the market on Scott Street every Tuesday. The second would have it on the sidewalk at the Middle School on Saturdays. He said that the Supervisor has met many times with interested parties, and said that the two items would be heard on the 16th. Jim Maxwell, a member of the public and past president of the Marina Merchants Association, speaking on behalf of the Marina Merchants Association stated their support for the Scott Street on Tuesday option. He said that they are encouraging businesses on Scott Street to come out onto the street and participate in the market, giving them an opportunity to hand out flyers/coupons or what have you. He said that the market does bring business to the business district contrary to what the opposing side is claiming that it takes away business. Patricia Vaughey, a member of the public and member of the Marina Cow Hollow Neighbors in Action, stated that unfortunately they never asked the merchants on the affected street what they wanted. She stated that most of them don't want the farmers market on their street, stating that it will take away business from them. She said that they would opt for the farmers market on Saturday's at the Marin Middle School site. She distributed copies of letters and signatures from various merchants and residents in the area that were opposed to the Scott Street option and in support of the Middle School site on Saturdays. Jim Reid, a member of the public stated that the Scott Street option would take away from parking that is already limited in the area. Gail Heiden, Executive Director of the California Farmer's Market (CAFM) said that she had been running farmers markets since the 1970's. She said she had started 31 farmers market in the bay area and has worked with various groups to see how they can best work with the business community in the area. She reported that many cities have economic development programs for farmers market and said that they do some inter linking whenever possible, however she said that in this case they have not had a chance to show the community how it works, adding that that people who are opposed have not given them a chance to show them how it works. Barbara Amble-Thomas of CAFM headed up the farmers market in the Marina last year and said that the best thing that farmers markets often times do is to create relationships with merchants. She said that last year they had different chefs from different restaurants on the

street or in the surrounding area do presentations at the farmers market. She reported that there was a lot of interlinking, adding that many of the merchants provided samples etc. Ken Pucini, a member of the public and owner of a grocery store on Scott Street, said that this would create unfair competition for his business. He said that all the things that the CAFM is reporting is good about farmers markets would be just as good if it were located at the Middle School site. Martha Yanez, Commission Secretary reported for the record that she had received 3 calls at the office in opposition to the Scott Street option. Commissioner O'Connor asked what the Supervisor's position on this matter is. Rob Black said that she wants a market; the question is where to locate it. Commissioner Sahagun announced that Commissioner Thigpen was present but that she would not be participating in the vote. Commissioner O'Connor said that he had visited the market last year and said that he liked it. He said that markets are good in general, however he said that he did not think government should interfere in the wants of the community. Commissioners Ventura, Alberts and Ishimoto all stated that they were in support of a Tuesday market and were leaning toward support for Scott Street, because although it might disrupt the area some, it is only for a few hours once a week.

Action: Commissioner Ishimoto made a motion to approve Scott Street Farmers Market on Tuesdays. Commissioner Ventura seconded. The motion passed with 4 in favor, 1 opposed, and 1 reclusive.

There was no motion on Item 7, the Saturday Farmer's Market at Marina Middle School.

Item 8 - Presentation and discussion on Department of the Environment's services for small businesses.

Sushma Dhulipala of the Department of the Environment handed out a flyer that summarizes DOE's services, including free on-site assistance to help businesses reduce energy bill, rebates and financing assistance, free on-site pick up of recyclables and much more. She talked about DOE's Green Business Program, which recognizes businesses that are doing green business, or operating in a manner that is sustainable as well as profitable. She talked about their Clean Air & Transit Program as well as their Environmental Justice Program, whose goal is to improve the quality of life for residents. Alex Dmitrien of SF Environment continued the presentation, talking about urban forestry, stating that trees are part of the environment. He talked about zero waste, which includes composting, adding that the city's goal is to be at zero waste by 2020. He said that they do a lot of grants with non profits, and said that they also offer advice. He said that they have a progressive recycling strategy, including progressive garbage rates, color coded containers w/signage, on site set up, training and assistance, and they monitor and evaluate participation, including recognition and award programs. For example, he talked about Scoma's, who has a 96% recovery rate, adding that they get the Cory award top honors quite often as a result, stating that they save a lot of money that way. Anne Kelly of the Energy section of the Department of the Environment stated that their goal is to reduce greenhouse gas omissions and said that in the past they have launched programs such as Power Savers (2001-2003), in which over 4 thousand small businesses participated and saved 3.6 million dollars in annual energy cost savings.

Currently she reported on their SF Peak Energy Program (2004/2005), whose goal is to save 16 mw, of which 13 mw have currently been saved. She said the target sector is all businesses, particularly Bayview residents. She reported that programs are in the planning stages for the years 2006-2008. One such program is Solarsf.org, which would require the Department of Building Inspection and the Planning Department to reduce fee for solar projects. Commissioner Sahagun thanked them for their presentation and asked if the city had given any thought to on-bill financing. He said that small businesses seem to like this idea. Anne Kelly said that this is something that is being considered at the state level. Sushma Dhulipala invited the commissioners to the June 3rd awards reception at Fisherman's Wharf and thanked Commissioner Thigpen for working closely with DOE staff to plan the event.

Item 9 - Presentation, discussion and possible action for the Small Business Commission to approve the Small Business Advocate Position for California.

Scott Hauge of Small Business California explained that when AB 505 passed, it created the position of the Small Business Advocate, who under the Gray Davis administration was Ms. Sonia Blake. He said that the position has not been funded since the new administration took over, and said that Speaker Nunez has introduced some legislation to fund it. The legislation also would move the position to the Business Transportation and Housing committee instead of the Policy and Research Committee, which it is currently in. Having said that, he requested that the Small Business Commission support the funding of the Small Business Advocate by sending a letter expressing their support by Friday. Commissioner Thigpen asked when the position start and how much will it fund. Scott Hauge responded stating that the position would start in the next fiscal year and said that in the past it funded 1 advocate and 1 or 2 staff members. Commissioner Ventura asked what the selection criteria are for this position, and asked if there were any prospects.

Scott Hauge stated that he was not sure yet, but said that what they don't want is for the position to become a political position.

Action: Commission Thigpen made a motion for the Commission to support the funding of the Small Business Advocate position and to write a letter stating this. Commission Alberts seconded the motion. Unanimous approval from the commission.

Item 10 - Presentation, discussion and possible action for the Small Business Commission to decide on the future of the Shop Outside the Box program

This item was tabled.

Item 11-Legislation and Policy Committee Report -allows the Chair to report on recent committee activities and make announcements

Commissioner Ventura reported that the DBE legislation was back at Supervisor Ma's desk, stating that she would introduce her original legislation per a stakeholders meeting that took place the week prior. Director Briones

reported that she and Commissioner O'Conner were trying to schedule some time with Supervisor Peskin regarding some legislative issues.

Item 12- Community Outreach Committee Report -allows the Chair to report on recent committee activities and make announcements

None.

Item 13 - Budget and Economic Development Committee Report

Commissioner Ishimoto reported on the Controller's City Survey, stating that at their earlier meeting the Controller's office had discussed the survey and ways that the Commission might get some questions in next years survey. He asked members of the audience, particularly those that belong to small business associations and groups to discuss this with their membership and see if they can come up with a couple of questions to include in survey. He said that the Commission would be interested to hear from the various groups, and said that it would be a great opportunity to reach the population at large regarding small business issues.

Item 14 - Election of President of the Small Business Commission

Commissioner Ishimoto nominated current president Dave Sahagun for a second term. Commissioner Thigpen seconded the nomination. The vote was 5 ayes to 1 abstention. Commissioner Sahagun was elected as president for a second term.

Commissioner Ventura nominated Commissioner Thigpen to serve as president. Commissioner Alberts seconded the nomination. The vote failed 1 to 4.

Item 15 - Election of Vice President of the Small Business Commission

Commissioner Ventura nominated current vice president Norm Ishimoto for a second term. Commissioner Alberts seconded the nomination. The vote was 3 ayes to 2 abstentions. Commissioner Ishimoto was elected as vice president for a second term.

Commissioner O'Connor nominated Commissioner Ventura to serve as vice president. Commissioner Thigpen seconded. The vote failed with 2 ayes and 3 abstentions.

Item 16 - Executive Director's Report

Director Briones reported that she would talk about Small Business Week at the next meeting, stating that she had not had time to de brief with some of the key planning team. She reported that Commissioner O'Connor had been elected to co sponsor a group that will look at ways to involve youth in key issues. Furthermore, she reported that she would be representing the SBC on another business group related to the childcare industry and said she would be reporting back.

Item 17- New Business

Commissioner Ventura said that he was interested in the topic of civil service reform and wondered how the commission might get more information and take this up. Commissioner Sahagun recommended that he work with Director Briones to get more information. Commissioner Alberts reported that SF State had received a grant, stating that the Commission is a co sponsor of the grant proposal, adding that Commissioner Ishimoto would be working closely with Rich McCline of SFSU on this partnership. Commissioner Ventura said that the commission should begin to look at some tax issues, such as rebates or something similar for small businesses. Commissioner Thigpen asked if the commission could invite someone from SPUR to talk about civil service reform, adding that they had some information on their newsletter about this. Commissioner Alberts asked if Naomi Little of purchasing would be coming to talk to the full commission. Commissioner O'Connor reported that the Back Street Advisory Board would be meeting soon and he would report back.

Item 18- General Public Comment

Patricia Vaughey, a member of the public expressed her frustration with city policy bodies, stating that over the last few months there have been a group of citizens that have voiced their opinions but they are not being listened to at the city level and every time there is a great majority, government seems to go the other direction. She cautioned the commission on going moving away from democracy and toward anarchy.

Item 19 - Adjournment (Action Item)

Commissioner Thigpen Motion to Adjourn. Commissioner Alberts Seconded. The meeting was adjourned at

7:50 P.M.



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Small Business Commission >> Meetings

City and County of San Francisco
Small Business Commission



June 13, 2005 (Regular)

City and County of San Francisco
SMALL BUSINESS COMMISSION
Notice of Meeting & Agenda
For

Monday, June 13, 2005

City Hall, Room 400

5:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

COMMISSIONERS:

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts, Michael E. O'Connor, Dr. Raye Richardson, Jordanna Thigpen,
Richard Ventura

Agnes Briones, Executive Director

Commission Secretary, Martha Yañez

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2. Approval of the May 9, 2005 Small Business Commission meeting minutes (Action Item)
3. General Public Comment -allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for

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the Commission's future consideration (Discussion Item)

4. Review, discussion and possible action on File No. 050926 [Charter Amendment (First Draft) to add Section 8A.114 to provide that the Board of Supervisors may create "Neighborhood Parking Meter Improvement Districts" by ordinance, require the operation of parking meters on Sundays in specified Neighborhood Parking Meter Improvement Districts, and require that the revenue raised from the Sunday operation of parking meters in a Neighborhood Parking Meter Improvement District, less any operational costs for enforcement, be used for pedestrian, street, and neighborhood improvements in that district] Presentation by Rob Black, Legislation Aide to Supervisor Alioto-Pier (Discussion possible action item) *Explanatory Documents: File No. 050926*

5. Presentation and discussion on the Mayor's Office of Community Development's services for small businesses. Presentation by Susan Reynolds, Loan Program Administrator (Discussion possible action item)

6. Presentation, discussion and possible action for the Small Business Commission to decide on the future of the Shop Outside the Box program (Discussion possible Action Item)

7. Legislation and Policy Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion Item)

8. Community Outreach Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion Item)

9. President's Report -allows the president to report on recent small business activities and make announcements (Discussion Item)

10. Vice President's Report -allows the vice president to report on recent small business activities and make announcements (Discussion Item)

11. Executive Director's Report-allows the director to report on recent small business activities and make announcements (Discussion Item)

12. New Business -allows the Commissioners to introduce new agenda items for future consideration by the Commission (Discussion Item)

13. General Public Comment -allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (Discussion Item)

14. Adjournment (Action Item)

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Small Business Commission >> Meetings

City and County of San Francisco

Small Business Commission



June 13, 2005

CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

MEETING MINUTES

Monday, June 13, 2005 5:30 PM

____ Small Business Commissioners ____

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts, Michael O'Connor, Dr. Raye Richardson, Jordanna Thigpen, Richard Ventura

Executive Director - Agnes Briones

Commission Secretary - Martha Yañez

Members Absent: All present

Call to order:

Item 1 - Roll Call

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The Small Business Commission met on Monday, June 13, 2005 in regular session. The meeting was called to order at 5:35PM

Item 2 - Approval of minutes of the May 9, 2005 meeting minutes (Action Item)

This item was tabled

Item 3 - General Public Comment (Discussion Item)

Mark Quinn, SBA Regional Director congratulated all the partners who helped plan the Small Business Week events. He said that the SBA looks forward to next year's event to build on the success of this year's success. Commissioner Sahagun thanked Mr. Quinn and the SBA for working their participation. He especially thanked him for personally attending the various neighborhood events. Scott Hauge, of Small Business California, stated that at the May meeting he requested for the SBC to support the funding of the Small Business Advocate position. He said he understood the commission's conflict nonetheless he reported that the position would likely be funded. On the issue of workers comp he reported that the 12-25% rates would likely be lowered as of July 1st 2005, and said that some may be retroactive. He reported that on bill financing looked promising and announced that Wednesday is Small Business Day in California. Mahran Esmaili, owner of Shoebiz in the Haight reported that he is facing a potentially explosive issue in his neighborhood. He said that the issue has affected property owners and businesses alike, stating that it stemmed from their rejection of a store in their neighborhood. He stated that as a result the project sponsor is coming after individuals, adding that the entire neighborhood is scared. He reported that even Planning Department staff could attest to this fact. He requested the commissions help in this matter. Commissioner Sahagun suggested that he meet with Director Briones to further explain the situation at hand and see how the commission might be of assistance.

Item 4- File No. 050926 [Charter Amendment to create "Neighborhood Parking Meter Improvement Districts"]

Rob Black, Legislative Aid to Supervisor Alioto-Pier stated that they envision that the Charter Amendment would allow by ordinance the creation of "Neighborhood Parking Meter Improvement Districts" He said that the ordinance would make meters active on Sundays, stating that the neighborhood group that supports this would work with the Small Business Commission to decide what the funds would be used for. He said that all the money collected from the Sunday meters would go into the fund, minus the cost of implementation. Commissioner Ventura asked what the cost of implementation would be. Rob Black stated that it would include the cost to enforce the meters, stating that currently, DPT is estimating that about 30% of the funds collected from the Sunday meters, would go toward implementation. Commissioner Thigpen asked about parking tickets for violators. Rob Black responded stating that the funds from parking tickets were not part of the equation. Commissioner O'Connor commended Supervisor Alioto-Pier and her staff for bringing this forward. He said it seemed like a great idea and said that it had good potential. He said it would be ideal to get some of the revenue from tickets issued, stating that's where the money is. Rob Black responded stating that the numbers estimate that

the coin revenue alone would bring in over 4 million dollars per year. Commissioner Ishimoto expressed his concern for it only being coin revenue and not tickets also. Commissioner Sahagun asked if DPT would be paying overtime to their staff for this, or would they be hiring new people. Commissioner Ventura stated that a lot of the merchant corridors currently have meter service on Sunday's, and asked how that would work. Rob Black responded stating that he believed only the Port had meter service on Sunday's. Commissioner Richardson asked if they had been in touch with DPW because she said it seems that wherever you increase activity you have the potential for extra rubbish requiring clean up. Commissioner Thigpen asked about the use of the money from this fund, asking if they would be able to use a small business to clean the streets for example, or would they be required to use DPW. Commissioner Sahagun said that he liked the idea of using a small business from the area. Commissioner Alberts questioned the Commissions ability to fairly implement and execute this type of improvement district, stating that such an undertaking may require additional staff, and wondered how the SBC would manage the creation of this neighborhood district. Rob Black responded stating that the way the charter amendment is written, the funds would be handled by the Controller's Office, who does have the capacity for this. He said this would be a great opportunity for the commission, adding that Supervisor Alioto-Pier believes that the SBC is a good venue for this. Commissioner Ventura agreed that it is a great opportunity for the commission to work with Supervisor Alioto-Pier and said that it was the early stages, thus an opportunity to figure out ways to serve constituents best. Commissioner Sahagun asked about the controls in place to ensure that the funds stay in this fund and circulate back into the communities wherefrom they came. Rob Black responded stating that there is language in the Charter stipulating this. Al Dixon, a member of the public and citizen of San Francisco asked if the meter maids could be paid out of the ticket revenue so that the coins collected remain in this fund. He also questioned city services as a result of the Sunday meters. Rob Black responded stating that it is not their intention that city services will diminish as a result. Commissioner O'Connor asked how much money would be raised from the coin revenue. Rob Black stated that DPT has said they would do a model, for example he said that Chestnut Street would be assessed. He said that the special district is required so that the money may go to this district rather than just to the MTA fund. Scott Hauge, a member of the public asked how the commission would work with neighborhood associations. Rob Black responded stated that there are some implications when an outside group makes decisions. For example, the members would be required to file statements of economic interest etc, however commission members are already subject to this, thus the reason they opted this route. He stated that the proposed charter amendment would be first heard at the Rules Committee tentatively on June 24th, adding that it would be heard in committee 3 times. He expected it to be head at the full Board on July 11th. Commissioner Thigpen suggested that she would like to support the proposed charter amendment to create the neighborhood parking meter improvement district in theory, with the understanding that the current language may change as the commission provides further comments. Commissioner Ventura suggested stating that the commission accepts the charter amendment with the notion that they will work with Supervisor Alioto-Pier and her staff to get to the language that works well for all and addresses some of the concerns currently stated. Scott Hauge, speaking as someone that worked many years to create the Small

Business Commission back in 1985, stated that this is exactly what they envisioned. He applauded Supervisor Alioto-Pier for putting this together so that the funds remain where they ought to. He told the commission that if they don't do this, it will happen and the money will go to the general fund. He said this is a great opportunity for the commission and he encouraged the commission to run with it.

Action: Commissioner Thigpen suggested that she would like to support the proposed charter amendment to create the neighborhood parking meter improvement district in theory, with the understanding that the current language may change as the commission provides further comments. Commissioner Ventura seconded, but added that the commission accept the charter amendment with the notion that they will work with Supervisor Alioto-Pier and her staff to get to the language that works well for all and addresses some of the concerns heard he today. Unanimous approval from the commission (Commissioner Ishimoto had stepped out during the vote, thus he did not participate in the vote).

Item 5 - Presentation and discussion on the Mayor's Office of Community Development's services for small businesses

Susan Reynolds, Loan Program Administrator, Mayor's Office of Community Development, stated that MOCD receives about 25 million dollars annually and is 100% funded by CDBG (Community Development Block Grants). She said they funded about 150 community based organizations (CBO's), some of which are economic development organizations, providing a multitude of services including: technical assistance and training, loan packaging services, and assistance in preparing business plans. They also offer business classes and access to professional business, marketing and financial consultants. She said she had invited some staff from some of these organizations and allowed them to introduce themselves quickly. MOCD administers a small business loan program. Ms. Reynolds explained that their loan program, while it does not bail out troubled businesses, it is a program for individuals who have trouble accessing funding from some of the traditional sources. She provided the commission with flyers on the loan program as well as a program brochure from one of the CBO's that they fund, which has initiated a restaurant initiative as part of its services. This initiative is specifically targeted to people that are starting restaurants. Commissioner Richardson asked why the Western Addition is not a targeted group. Susan Reynolds responded stating that they are focusing on areas of the city that have been left out, stating that the Fillmore and parts of the Western Addition are captured in much of the Redevelopment Agency's work. Commissioner Alberts asked what kind of enlarged role the SBC ought to be taking in working with MOCD moving forward. Susan Reynolds responded stating that the SBC has worked with MOCD already. She talked about Shop Outside the Box, which she said came from an idea that she discussed with the past director, whereby many small manufacturing type businesses that did not have store fronts found it very difficult to do business for lack of retail space. She said she hoped this program continued. She also suggested re initiating merchant walks, stating that they were highly successful in the past, and allowed them to hear first hand from business owners in the various neighborhoods. Commissioner Sahagun thanked Ms. Reynolds for her presentation and for her all her work with and on behalf of the commission.

Item 6-Presentation, discussion and possible action for the Small Business Commission to decide on the future of the Shop Outside the Box program

Commissioner Sahagun Asked if the commission needed to decide at this time, and asked her to recap. Director Briones stated that the commission should consider whether this is something that they want to continue as is, or change it, namely the date and location. She recommended that the Commission combine small business week with the Shop Outside the Box program so that the commission only has one large event per year. Commissioner Alberts stated that her collage students had surveyed attendees as well as participants, and she had a summary of those surveys, which she had previously talked about in her report on the event at a prior meeting. In summation she said that they found that publicity was minimal, and most of the shoppers were from out of the area just shopping in Union Square. She also said that most of the small businesses said that they would not participate if they were charged a fee. Commissioner Ventura said that he believed that more merchants participated in the sidewalk sales during small business week. Commissioner Thigpen said that she supports Shop Outside the Box. She said she heard what some folks said about driving businesses away from their neighborhood commercial districts and to Union Square by having the event there, but said that frankly people are going to be at Union Square, and said that it was a good opportunity to educate these people about these manufacturing businesses that don't have a retail outlet. Having said that, she added that she could see maybe doing something around Christmas time in the neighborhoods. Director Briones stated that she believed the recommendation from the committee had been in support of this effort, and clarified that the goal was not to attract businesses, but rather customers for the participating businesses. Susan Reynolds suggested that in the event that Union Square becomes too costly, the commission might invite these businesses to the small business week event at city hall. Commissioner Sahagun suggested that the new Outreach Committee put this on the agenda for the near future and decide on it.

Item 7-Legislation and Policy Committee Report -allows the Chair to report on recent committee activities and make announcements

Commissioner Ventura reported that at the last committee meeting they had reviewed the various community benefit district legislation, which he said they supported as whole. He said it seems to be very favorable, with 30% of property owners in support of it. He said it would be referred to the full Board next month. He reported that Supervisor Jake McGoldrick would be coming before the Legislation Committee with a proposed piece of legislation in the near future

Item 8- Community Outreach Committee Report -allows the Chair to report on recent committee activities and make announcements

Commissioner Thigpen, new Chair of the COC committee said that she did not have anything to report, except that the committee members ought to begin to think if they want to keep the same meeting dates and times, or change it.

Item 9 - President's Report

Commissioner Sahagun reported that he and Director Briones have been going out and meeting with various businesses that have problems that they are dealing with in their neighborhoods. He suggested that other members of the commission take on similar tasks in their respective neighborhoods. Director Briones stated that this had been effective and said that it gives them an opportunity to hear the concerns of the business owners and makes it more personal. She said it was a positive step in the right direction and also encouraged the commissioners to take a proactive role in their neighborhoods. Commissioner Sahagun assigned committees as follows:

Community Outreach Committee - Commissioner Thigpen, Chair;
Commissioners Ventura & Ishimoto, members

Legislation and Policy Committee - Commissioner O'Connor, Chair;
Commissioners Thigpen & Sahagun, members

Budget Committee - Commissioner Richardson, Chair; Commissioner O'Connor, member, and one vacancy

Director Briones explained that the commission is currently operating without by laws and suggested that they address this matter soon. She recommended that the new Legislation Committee consider this as one of their first items of discussion. Commissioner Sahagun excused himself from the meeting. He left at this time. Commissioner Alberts turned over the report/survey on the Small Business Week event(s), as well as the information on the grant in partnership with SFSU to conduct a study of businesses in West Portal. She said Commissioner Ishimoto would be taking this task on, in collaboration with Dr. Rich McCline of SFSU. She thanked Commissioner Ventura for being involved with the Export Opportunities with the US Commercial Service, stating that it gives the commission a new dimension, which she said is a good thing.

Item 10 - Vice President's Report

Commissioner Ishimoto reported on Japan town's recent victory in keeping Starbucks out of their neighborhood. However he said that the proposed new tenant of the space is UPS and said that they are playing language games to avoid being classified as a chain. He said that there continues to be a battle between small businesses and chains, but reported that Japan town is on the verge of becoming a historical district. Commissioner Richardson asked how Denny's was able to locate in Japan town. Commissioner Ishimoto, to the best of his recollection said that back then they had a hard time attracting a tenant, and said that only Denny's was able to concede to certain requirements.

Item 11 - Executive Director's Report

None

Item 12 - New Business

Commissioner O'Connor said that he would like DPT to address the issue of the center median/lanes along the Valencia Street corridor. He said that these lanes have become a virtual parking lot, which he does not believe is legal. He would like to know when this was decided and what can be done to address it. Commissioner Thigpen asked if there is a disaster plan for small businesses. She said she would be interested in meeting with the Director of Emergency Services to discuss this further. Commissioner Ventura said that he would like to add the discussion of the merchant visits to find out if there is an interest among the commissioners to follow up on this. Commissioner Richardson thanked Martha for her assistance in getting a yellow zone on her street. She questioned why the trimming of the trees was taking so long. Commissioner Thigpen reported that Director Briones and she would be meeting about a proposed legal referral program for small businesses, stating that the office gets several calls requiring legal assistance/advice which the commission can not assist with. Commissioner Ishimoto reporting on the Pistahan festival in August and said that the only impediment to the event is a funding request, and said that if that did not come through; he would like the commission to fund them. He thought it would be worthy and he would present it to the COC committee in July.

Item 13- General Public Comment

None

Item 14 - Adjournment (Action Item)

Commissioner Thigpen made a motion to adjourn. Commissioner Ventura seconded. The meeting was adjourned at 7:28 P.M.



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Small Business Commission >> Meetings

City and County of San Francisco

Small Business Commission



July 11, 2005

City and County of San Francisco

SMALL BUSINESS COMMISSION

Notice of Meeting & Agenda For Monday, July 11, 2005

City Hall, Room 400

5:30PM

**1 Dr. Carlton B. Goodlett Place , San Francisco, CA
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COMMISSIONERS:

**David Sahagun, President
Norman Ishimoto, Vice President
Florence Alberts
Michael E. O'Connor
Dr. Raye Richardson
Jordanna Thigpen
Richard Ventura**

**Agnes Briones, Executive Director
Commission Secretary, Martha Yañez**

1. Roll Call for the July 11, 2005 meeting of the Small Business Commission
2. Approval of the May 9, 2005 and June 13, 2005 Small Business Commission meeting minutes (Action Item)
3. General Public Comment -allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (Discussion Item)
4. Review, discussion and possible action on File No. 050926 [Charter Amendment (Third Draft) to add Section 8A.114 to provide that the Board of Supervisors may create "Neighborhood Beautification Districts" by ordinance, require the operation of parking meters on Sundays in specified Neighborhood Beautification Districts, and require that the revenue raised from the Sunday operation of parking meters in a Neighborhood Beautification District, less any operational costs for enforcement, be used for pedestrian, street, and neighborhood improvements related to traffic regulation, safety and control in that district] Presentation by Rob Black, Legislation Aide to Supervisor Alioto-Pier (Discussion possible action item)
Explanatory Documents: File No. 050926
5. Discussion on Supervisor Fiona Ma's request for a hearing on the status of small business and the status of the restaurant industry in San Francisco (Discussion Item)
6. Legislation and Policy Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion Item)
7. Community Outreach Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion Item)
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Small Business Commission >> Meetings

City and County of San Francisco

Small Business Commission



July 11, 2005

CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

MEETING MINUTES

Monday, July 11, 2005 5:30 PM

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Norman Ishimoto, Vice President

Florence Alberts, Michael O'Connor, Dr. Raye Richardson, Jordanna Thigpen, Richard
Ventura

Executive Director - Agnes Briones

Commission Secretary - Martha Yañez

Members Absent: Commissioner Richardson

Call to order:

Item 1 - Roll Call

The Small Business Commission met on Monday, July 11, 2005 in regular session. The meeting was called to order at 5:35PM

Item 2 - Approval of minutes for the May 9, 2005 and June 13, 2005 meetings of the Commission (Action Item)

Commissioner Ventura made a motion to approve both May and June meeting minutes as submitted. Commissioner Ishimoto seconded the motion. The Commission unanimously approved the minutes.

Item 3 - General Public Comment (Discussion Item)

Scott Hauge, of Small Business California reported on an email that he sent to Commissioner David which detailed The House Small Business Committee Democrats Small Business Index (SBI) report for the 1st Quarter of 2005, which tracks the economic environment facing small firms, by using 17 different economic indicators - including health care costs, energy prices, unemployment, and industry metrics. He suggested that the email be forwarded to the rest of the commission and that they review the data. He reported on AB 1302, stating that Small Business California is a sponsor of the bill to regulate reform. He said it is a modest proposal and he asked the commissioners to individually support AB 1302 by writing letters of support.

Item 4- File No. 050926 [Charter Amendment to create "Neighborhood Parking Meter Improvement Districts"]

Rob Black, Legislative Aid to Supervisor Alioto-Pier stated that he was glad to be back to report on the previous discussion around the proposed legislation. He reported that there had been some amendments to the legislation previously reviewed by the commission, the most prominent of which is the shifting of power from the Small Business Commission to the Board of Supervisors. He stated that the commission's role in the charter amendment did not get the support it needed in committee, thus the shift. He reported that some neighborhood groups had spoke up against the commission's role. He also talked about the addition of the ticket revenue, which they found was legal for them to do, thus the required language was added. Commissioner O'Connor inquired as to the identity of the neighborhoods groups or individuals that spoke in opposition of the commission's role. Rob Black stated he believed that the Bernal Heights group was one, adding that he was not certain. Furthermore, he said that there were others that also did not approve, adding that they did not necessarily represent any one group, but rather themselves, but he said that he did not recall exactly and stopped because he did not wish to misrepresent anyone. Commissioner O'Connor reported that the Hayes Valley Neighborhood Association had come and spoke against this, but he said that they are a neighborhood association, not a business association and their wants are not always those of merchants. Commissioner Thigpen asked if this passes as it (new amendment), could it be changed at a later date to shift power back to SBC. Rob Black replied stating that it would require another charter amendment, which required voter approval.

Commissioner Sahagun commended Supervisor Alioto-Pier and her staff for

their work on the charter amendment and for trying to make sure that the revenue generated go back to the merchants via the commission's involvement. However, he said that he was concerned with the amended charter amendment, adding that there were some organizations and associations that liked the commission's role in the charter legislation. He said he would like Mr. Black to follow up with Director Briones, stating that he would be interested in knowing the identity of others who approved. Rob Black said that they did not take the amended legislation back to all the groups; however he reported that the Union Square Association approved the amendment in spite of the change. Commissioner Sahagun asked if the neighborhood had a choice to participate or not. Rob Black confirmed that this was indeed the case. Commissioner Sahagun said that at the last hearing the Commission had raised the issue of creating job opportunities for small local businesses, whereby they might get the contract to do the street cleaning for example. He asked if DPW would automatically assume this position given the amendment to the legislation. Rob Black responded stating that per the City Attorney Prop 213 and 218 require that the funds be allocated for safety and traffic issues in the neighborhood. Commissioner O'Connor asked about the disbursement of funds in the event that a neighborhood falls within two distinct supervisor districts. Rob Black stated that the disbursement of funds would be done through a budget process at the Board of Supervisors, adding that it would involve a hearing. Commissioner O'Connor expressed his belief that this amendment is a political move, stating that the supervisors may end up funding organizations that support them. Rob Black replied stating that it is their belief that there is money that could be made and used within the districts, and if they don't do something now to secure the money, someone else will and the neighborhoods and merchant groups will not see any of it. Commissioner Sahagun asked Mr. Black to explain what happens from here forward. Rob Black stated that the legislation was sent from the Rules Committee to the full Board last Friday and said that on Tuesday it would be read at the Boars but not voted on and said that it could be voted on at the subsequent Board hearing. Scott Hauge, a member of the public asked if the Small Business Commission was mentioned anywhere in the amended legislation? Rob Black replied in the negative. Scott Hauge said that he did not agree with the amended legislation. He said it was important for the Commission to understand the position of the neighborhood groups. He said that the Commission should reach out to merchant associations. He said that he had done a quick survey and found that the Geary Blvd. merchants were opposed to the legislation. Commissioner O'Connor expressed his frustration with the whole situation. Commissioner Ventura agreed with Commissioner O'Connor and agreed with Mr. Hauge that the Commission ought to poll its members/constituents.

Action: Commissioner Ventura made a motion for Supervisor Alioto-Pier to include language in the amended legislation that would allow the Small Business Commission to advise the Board of Supervisors on the disbursement of the funds, and to include the results from the SBC's phone survey. Commissioner O'Connor seconded. Unanimous approval from the commission.

Item 5 - Discussion on Supervisor Fiona Ma's request for a hearing on the status of small business and the status of the restaurant industry in San Francisco.

Jaynry Mak, Legislative Aide to Supervisor Fiona Ma, stated that at the June 21st meeting of the Board of Supervisors (BOS), Supervisor Ma had introduced two hearings. The first called for a hearing on the status of small businesses in San Francisco. She said that the Commission should be prepared to report on the role of the Commission and how it facilitates small business in San Francisco. The second hearing she said was related to the restaurant industry. Commissioner Thigpen asked if there were funds being allocated toward such a study. She said the Commission has been very interested in doing a study that examines small business in San Francisco but said that the funds have not been there. Jaynry Mak replied stating that they are first interested in getting some basic numbers, a general idea of the business climate in the City. She said that this would be necessary in order to determine if a study is needed and funds warranted. Commissioner Thigpen asked about the format of the meeting. Jaynry Mak stated that both hearing requests were forwarded to the City Operations and Neighborhood Services Committee, in which the hearing will take place. She said that they would ask that the Commission make a brief presentation and it would be open to the public. She said the meetings are held on the 1st and 3rd Monday at 1PM. Commissioner O'Connor asked what is driving this request for a hearing. He asked if they see a problem. Jaynry Mak said that they are interested in finding out the best practices of other cities and encouraged the Commission to include any of this type of information in their report. Commissioner Sahagun said that this is a serious issue and not one that should be taken lightly. He stated that if there is a serious and legitimate concern to find out about the business climate, it needed to be backed up with money to do a comprehensive study.

Jaynry Mak stated that they would need basic information initially in order to decide if funds should be allocated for a study, adding that they would need a reason to fund such a study. Commissioner Sahagun said that there was expertise on the Commission and said that they would like and appreciate very much the opportunity to play a major role in any study going forward. He said that the Commission hopes to work closely with Supervisor Ma and anyone else toward this end. He thanked Ms. Mak for bringing this to the Commission. Commissioner Alberts stated that the SBC would be conducting its own study in the West Portal neighborhood, which is a pilot program in collaboration with SFSU. She said that they would not be limited to retail businesses, but rather very interested in the 2nd story businesses. Commissioner Thigpen said that it was very important to her that different branches of government work together. She said she hoped to get the Mayor's Office and other Board members to work with the Commission. Scott Hauge said that he has been involved in small business advocacy since 1984 and said that information is required in order to set policy, adding that good basic information is needed. He encouraged the Small Business Commission to get this information, adding that Kent Sims would welcome any questions and comments. He said that he was concerned with having a second study on restaurants and said that it would be important to integrate restaurants into any small business study because they are small businesses.

Item 6-Legislation and Policy Committee Report -allows the Chair to report on recent committee activities and make announcements

Commissioner O'Connor reported that he had spent a lot of time on the issue of the charter amendments, adding that perhaps the Commission should propose their own charter amendment.

Item 7- Community Outreach Committee Report -allows the Chair to report on recent committee activities and make announcements

Commissioner Thigpen, new Chair of the COC committee reported that the committee would continue to meeting the 3rd Thursday of the month at 5:30PM, location of meetings TBD. She reported that the committee had decided to issue a request for proposals for "Shop Outside the Box", or otherwise named event around the holiday season. She said that the RFP had been amended from previous years to take into consideration some of the concerns with last year's event, including a possible name change among other changes. She reported that the deadline for submissions was Friday, July 29, 2005 and said that it was sent to all PR firms in HRC database as well as to all SBC contacts. She clarified that this was only a request for proposals and said that no money had yet been spent. She said that the committee was charged to decide on the future of "Shop Outside the Box", and said that this is what they decided to do. Furthermore, regarding the Pistahan festival, she reported that the committee opted not to fund said festival, but rather to participate and help find a company to underwrite the event.

Item 8 - President's Report

Commissioner Sahagun reported that he would try to tie up any loose end at the next meeting of the Commission and said that there were no budget items.

Item 9 - Vice President's Report

None

Item 10 - New Business

Commissioner Ventura stated that he would like to discuss the possibility of conducting merchant walks in the neighborhoods, something the commission used to do. Commissioner Alberts referred three items to the Community Outreach Committee, including the following: For the COC to consider establishing or expanding its relationship with the Mayor's Press Office, specifically for COC to begin to forward a list of articles on small business to Darlene Chiu in the Press Office for publicizing. Second, the COC should think about welcoming another partner in the State Board of Equalization, stating that the BOE does a slue of things throughout the state. Finally, she announced that SF State Family Business Center is looking for an advisory board, stating that they need help.

Item 11 - General Public Comment

Scott Hauge reported on the issue of funding the position of the Small Business Advocate, a position at the state. He said that the Governor had vetoed the funding request, thus the position would not be funded.

Commissioner Ishimoto asked Mr. Hauge to elaborate on AB 1302. Scott Hauge stated that it was the defining burdensome for the Office of Administrative Law to determine regulations that are brought before the board. Commissioner Ishimoto stated that he wished to add some remarks, stating that he goes to Sacramento on Fish and Game matters, adding that the requirement taken at face value is OK, that being that any regulation has to be vetoed for its impact on small business. He said that he has seen on other numerous occasions that where because of other supposed lack of fish to catch, the Fish and Game Commission is then required to reduce the number of Fisher persons to catch the fish. Furthermore he stated that on the one hand you have to reduce the catch, thus few number of permits issues, while on the other hand, 20 lines down on the report they state that there is no known impact on small business, while he said, the entire intent of this is to screw small businesses. Scott Hauge stated that this is exactly what the legislation attempts to address. Commissioner Ishimoto stated that San Francisco small businesses are impacted by this regulation. He said that this example just takes into account the Fish and Game Commission. He said he strongly endorses AB 1302 if it will correct the double talk. Scott Hauge encouraged Commissioner Ishimoto to write a letter to Assemblyman Horton who is looking for specific examples. Mr. Smiley, owner of ShoeBiz in San Francisco, stated that he was surprised to know how disconnected the small business community, or small businesses are from the Small Business Commission. He urged the Commission to reach out to the small business community. He said that many may not be members of an established organization, but nonetheless they are there. He asked for the Commissions support on his issue being heard at the Board of Appeals on July 20th, not as an issue of ShoeBiz, but rather as a small business issue.

Item 12 - Adjournment (Action Item)

Commissioner Thigpen made a motion to adjourn. Commissioner Ventura seconded. The meeting was adjourned at 7:10 P.M.



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City and County of San Francisco
Small Business Commission



August 08, 2005

City and County of San Francisco

SMALL BUSINESS COMMISSION

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Notice of Meeting & Agenda For

Monday, August 8, 2005

City Hall, Room 400

5:30PM

**1 Dr. Carlton B. Goodlett Place , San Francisco, CA
94102**

COMMISSIONERS:

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts

Michael E. O'Connor

Dr. Raye Richardson

Jordanna Thigpen

Richard Ventura

Agnes Briones, Executive Director

Commission Secretary, Martha Yañez

1. Roll Call for the August 8, 2005 meeting of the Small Business Commission
2. Approval of the July 11, 2005 Small Business Commission meeting minutes (Action Item)
3. General Public Comment -allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (Discussion Item)
4. Presentation on Community Boards, a non profit organization providing free mediation services to the community. Presentation by Christopher Arellano, a volunteer for Community Boards SF. (Discussion item)

5. Review, discussion and possible action to award a contract up to twenty thousand dollars for Public Relations & Outreach Services for a "Shop Local First" Campaign and Celebration to Business Alliance for Local Living Economies (Discussion possible action item) *Explanatory Documents: Proposal*

6. Review and discussion of the proposed by laws (rules and regulations) recommended by the Legislation and Policy Committee for adoption at a future meeting of the Commission. (Discussion possible action item) *Explanatory Documents: Draft Rules of Order*

7. Review and discussion of the proposed 2005-2006 Work Plan for the Commission as recommended by the Legislation and Policy Committee for adoption at a future meeting of the Commission. (Discussion possible action item) *Explanatory Documents: Draft 2005-2006 Work Plan*

8. Presentation and discussion of preliminary report on the status of small businesses in San Francisco (Discussion possible action item) *Explanatory Documents: Preliminary Report on Status of Small Business*

9. Legislation and Policy Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion item)

10. Community Outreach Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion item)

11. President's Report -allows the president to report on recent small business activities and make announcements (Discussion item)

12. Vice President's Report -allows the vice president to report on recent small business activities and make announcements (Discussion item)

13. New Business -allows the Commissioners to introduce new agenda items for future consideration by the Commission (Discussion item)

14. General Public Comment -allows members of the public to comment

generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (Discussion Item)

15. Adjournment (Action item)

Public Comment will be taken before or during the Small Business Commission's consideration of each v agenda item.

Explanatory Documents: Copies of proposed legislation listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall Room 436. Please call Martha Yanez (415) 554-6134 to make arrangements for pick up or review.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that city operations are open for the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083. To obtain a free copy of the Sunshine Ordinance contact:

Adele Destro, Interim Administrator

City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
Office: (415) 554-7724
Fax: (415) 554-5163
E-Mail: sotf@sfgov.org

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org.

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Accessible seating for persons with disabilities (including those using wheelchairs) is available. The closest accessible BART Station is the Civic Center station located at the intersection of Market, Hyde and Grove Streets.

Accessible MUNI lines serving the Veterans Building are 42 Downtown Loop and the #71 Haight/Noriega and the F line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services call 923-6142. Accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex. American Sign Language interpreters and/or a sound enhancement system will be available upon request by contacting Milton Edelin at 558-6410 at least 72 hours prior to a hearing. Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-8925 to discuss meeting accessibility. In order to assist the city's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the city to accommodate these individuals.

Translation Services

Interpreters for languages other than English are available on request. Sign language interpreters are also available on request. For other accommodation, please call the Department of Human Services staff support representative at 557-5989 at least two business days before a meeting.

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Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by San Francisco Lobbyist Ordinance [Article II of the San Francisco Campaign and Governmental Conduct Code] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 30 Van Ness Ave., Suite 3900, SF 94102 (415) 581-2300, FAX (415) 581-2317 and web site address at <http://www.sfgov.org/ethics/>.

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Small Business Commission >> Meetings

City and County of San Francisco

Small Business Commission



August 08, 2005

CITY AND COUNTY OF SAN FRANCISCO SMALL BUSINESS COMMISSION

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

MEETING MINUTES

Monday, August 8, 2005 5:30 PM

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____Small Business Commissioners____

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts, Michael O'Connor, Dr. Raye Richardson, Jordanna Thigpen, Richard Ventura

Executive Director - Agnes Briones

Commission Secretary - Martha Yañez

Members Absent: Commissioner Ventura

Call to order:

Item 1 - Roll Call

The Small Business Commission met on Monday, August 8, 2005 in regular session. The meeting was called to order at 5:35PM

Item 2 - Approval of minutes for the May 9, 2005 and June 13, 2005 meetings of the Commission (Action Item)

Commissioner Alberts made a motion to approve both May and June meeting minutes as submitted. Commissioner Thigpen seconded the motion. The Commission unanimously approved the minutes.

Item 3 - General Public Comment (Discussion Item)

Scott Hauge, of Small Business California reported that Governor Schwarzenegger had line item vetoed the Small Business Advocate position; however he said that the position would be funded in the near future. Secondly he reported that the Commission had supported On Bill Financing, reporting that PG&E is on board with funding. He said it was up to the California Public Utilities Commission for final approval, but said that he did not expect any problems at this point.

Item 4- Presentation on Community Boards, a non profit organization providing free mediation services to the community. Presentation by Christopher Arellano, a volunteer for Community Boards SF
Christopher Arellano a volunteer with Community Boards, briefly explained their services, stating that they are a non profit volunteer organization

providing free mediation services to the community ranging from landlord tenant issues, to family issues, to neighbor issues and consumer issues. He handed out some flyers on Community Boards and mentioned some statistics on the use of mediation as an alternative to litigation. He said that roughly 86% of American Corporations use mediation as an alternative. He said that they are located at 3130 24th Street and they could be reached at 920-3820. He encouraged the Commissioners to tell folks, particularly the small business community about them. Commissioner Thigpen asked how someone who might be interested in volunteering could do so. Mr. Arellano said that they should simply call the phone number and let them know. He said there is some training that they will have to submit to, but said that they are always looking for volunteers.

Item 5 - Review, discussion and possible action to award a contract up to twenty thousand dollars for Public Relations & Outreach Services for a "Shop Local First" Campaign and Celebration to Business Alliance for Local Living Economies

Don Shafer of BALLE briefly outlined their proposal for what he said they have dubbed the "Shop Local First" campaign and related events. He said that it is important to note that it will be a coordinated effort, stating that they will collaborate with other organization, such as Renaissance and SF LOMA to carry out the scope of work. He called this proposal unique, stating that it is different to what has been done in the past. He said that while BALLE is not a PR firm, they have had successes in doing this in the past throughout the nation. He said that the program would include a "Shop Local First" week preceding the Union Square event, in which they would organize a week of special events in the neighborhoods, matching local artisans and craftspeople with appropriate locally-owned retailers for clinics, educational seminars, workshops, etc. There would also be the Union Square event similar to the two previous years. He said that BALLE would work with both SBC staff and Renaissance Center staff in organizing this event for roughly 35-40 local craftspeople on Saturday, December 10th. He said that ideally, the event would be sponsored by a larger locally owned business in the district to provide sponsorship to offset the cost of putting on the event etc. Finally he said that there would also be the Most Innovative Entrepreneur of the Year Award similar to last years award ceremony. He said that the outreach and promotion for the campaign would be done by neighborhood canvassing and traditional media, as well as through email lists, blogs, etc. Commissioner Sahagun asked Mr. Shafer if BALLE has good relationships with the merchants associations in the neighborhoods. Mr. Shafer responded stating that he believed so. He mentioned Ms. Pat Christenson, who he said he had been working with BALLE to help create SF LOMA. Ms. Christenson is a member of the Council of District Merchants, a group of many neighborhood merchants associations. Pat Christenson spoke, stating that she is on the steering committee for SF LOMA, SF Local Merchants Alliance. She said that SF LOMA wants to work with BALLE on this program, and said that they are hopeful that they can work together to highlight the importance of local merchants and shopping local first. Don Shafer said that the plan is for SF LOMA to get three thousand dollars of the total twenty thousand dollar contract for promotional assistance. Stephen Cornell, a member of the public stated that it is troubling that while they are trying to push this idea of shopping local first, the biggest employee in the City and County of San Francisco, that being the City itself continues to buy most of their commodities outside of the city. He

said that they should encourage the city to do shop local first, and said that maybe this could also be part of the program. Mr. Shafer said that it is actually part of BALLE's larger goal and he appreciated his comments. Scott Hauge, a member of the public asked if the proposed program supports all businesses. He said that the program of the past two years seemed to only support manufacturing type companies and not all businesses. Commissioner Alberts stated that there should be a way to incorporate what Mr. Cornell said in his comments and said that publicity was most important. She said that the proposal seems similar to last years and said she is concerned with this, because last year there seemed to be a weakness as far as publicity was concerned. She said that the media did not cover the program and she suggested that this year, the Press Office be better utilized with help from Director Briones. Director Briones responded to Commissioner Albert's comments, stating that first of all, last year there was not a lot of time to execute the program, and said that she worried that the same thing was happening this year. She clarified that she had indeed met with representatives of the Union Square Association, an organization representing the merchants of Union Square. She said that due to the time constraints, they were not able to pull these merchants into the program. There was simply not enough time to coordinate it. Secondly, she said that the Press Office was utilized last year and Press Releases were sent out, adding that the proper channels were in fact used.

Commissioner Alberts stated that she was aware that Press Releases did get sent out, however she said that in order for them to be effective they have to get picked up by the media, for example the Chronicle, adding that the stories need to be sold to the press, which requires the Commission/contractor to be proactive in reaching out to the media. She also went on to question whether the Commission had approved a budget, and said if it had not, how can the Commission know what its priorities are. She requested a copy of the budget. Director Briones stated that the budget had been presented and she recalled that they had approved the item in question.

Action: Commissioner Thigpen made a motion to approve the contract in the amount of \$20,000 to BALLE. Commissioner Richardson seconded. The motion passed by a 5 to 1 vote. Commissioner Alberts voted against it.

Item 6-Review and discussion of the proposed by laws (rules and regulations) recommended by the Legislation and Policy Committee for adoption at a future meeting of the Commission.

The Commissioners reviewed and discussed the proposed by-laws (see draft), and made some changes. They requested to incorporate the language from the legislation, File No. 010470 Motion No. M01-33, directing the Clerk of the Board of Supervisors to forward legislation primarily impacting the small business community to the Small Business Commission for review and comment, requesting staff to ask the City Attorney. Scott Hauge, a member of the public expressed his concern with the language in Section 2, paragraph 2, adding that the Commission should not be an extension of the Mayor and the Board of Supervisors. He said this was not the intention when pushing for the Charter Amendment in 2003. Commissioner Ishimoto asked about Section 8, paragraph 1, directing staff to check with the City Attorney to inquire if a member would be allowed to abstain from the vote for other reasons not noted in the Section. He also pointed out the miss numbered Sections in Article IV. The Commissioners opted to rename Section 1 of Article V to

“Task Force”.

Item 7- Review and discussion of the proposed 2005-2006 Work Plan for the Commission as recommended by the Legislation and Policy Committee for adoption at a future meeting of the Commission

Director Briones read over the proposed work plan for the commission (see draft work plan). She stated that the proposed work plan calls for the streamlining of the permitting process, adding that often times this process is onerous for small businesses. She said that the Commission ought to be a champion for small businesses and suggested the creation of a small business liaison within various city departments. She said that the Commission ought to begin to think smarter and work smarter, adding that they should be proactive instead of reactive. Commissioner Sahagun added that the committees would no longer be meeting on a regular basis as committees, but rather stated that he and Director Agnes had agreed to assign task forces, which would be issue focused, and would cease to exist once the issue was resolved to the extent possible. He said that the proposed work plan would be voted on at the September meeting. Pat Christenson, a member of the public and President of the Small Business Network in response to pg. 5 of the work plan stated that the SBN has undertaken a survey of 1000 businesses, adding that they would like to cooperate with the Commission on this effort. In response to pg. 6, Phase 1, she said that a key merchants stakeholder, SF LOMA has ambitious campaign.

Item 8- Presentation and discussion of preliminary report on the status of small businesses in San Francisco

Director Briones recommended to staff that they request that the proposed hearing on the status of small business be postponed. She said that if the intent is to do a comprehensive look at small businesses in San Francisco, it would be worthwhile for the Commission to gather information in order to have a fruitful discussion. She talked about a draft report which a volunteer for the commission compiled using in part Kent Sims report on small businesses. Commissioner Sahagun said that overall the quality of the data that is available on small businesses from the city is terrible. Director Briones suggested that the Commission work with other city departments or agencies, and or educational institutions that are doing similar studies, and who often times seek similar data. She talked about the Mayor's Office of Economic Development, stating that they have been commissioned to do an economic development plan as part of Prop I.

Item 9- Legislation and Policy Committee Report -allows the Chair to report on recent committee activities and make announcements

Commissioner Sahagun reported on the by laws and the work plan. Commissioner O'Connor reported that he would be meeting with Supervisor Ma the following morning. He asked if anyone had anything specific they would like him to bring up in that meeting. He said he would try to get more information on the small business hearing, the purpose for it etc. Commissioner Sahagun requested that he communicate that fact that the Commission does not take this lightly, adding that they want to collect quality data. Commissioner Thigpen said that it would be a wonderful opportunity for everyone to work together, adding that the more money available to do a good study the better. Commissioner Sahagun said that any small business statistics should come through our office. Commissioner O'Connor reported

that the Planning department had approved the environmental impact report for Home Depot. He also reported that there would be a hearing at the Department of Public Works on the Valencia Street corridor and said he would keep the Commission posted on it.

Item 10- Community Outreach Committee Report -allows the Chair to report on recent committee activities and make announcements

Commissioner Thigpen reported that the Committee had not met the last months, but said that they would pick up again. She reported that she and Director Briones had met with Ann Marie Conroy of the Office of Emergency Services to begin discussing a disaster plan for small businesses, and said that she's excited to move forward on this.

Item 11 - President's Report

Commissioner Sahagun reported that he hopes to tie up some loose ends and said he hopes to do this as soon as the by laws and work plan are approved. In reference to a comment made by Mr. Hauge at the last commission meeting regarding the Office of the Treasure and Tax Collector, he said that they really ought to be proactive vs. reactive. He asked Director Briones to ask the Treasure's office about this. He reported once again that the committees would be task driven and would thus not need to meet regularly, adding that task forces should be created to deal with specific issues. For example, he proposed a task force for issues like Prop I, business tax, and a small business study.

Director Briones added that the use of task forces rather than committees, would allow the commission more time to go out into the communities and meet with business owners and or business associations, adding that it is hard for people to come to city hall for meetings. Commissioner Thigpen asked what the process would be to establish a task force. Commissioner Alberts requested to get the process formalized.

Item 12 - Vice President's Report

Commissioner Ishimoto reported on the Pistahan Festival, stating that ten days ago, Wells Fargo confirmed their funding of the business pavilion. He said that festival is this weekend and that they now needed help recruiting 8-15 agencies to host free table tops. He said the agencies would be able to provide information about their services and should be non profit business serving agencies.

Item 13 - New Business

Director Briones stated that the Chamber of Commerce would be hosting a health conference for the working uninsured on Friday, September 16th at the Ritz Carlton. She commented on a study sponsored by the Committee on Jobs, which looks at how San Francisco's broken fee system affects businesses and residents. She reported that she had met with Lisbeth Sunshine, who she said is interested in working with the Commission. Commissioner Sahagun said that the information on pages 8 and 15 of the study would be helpful for the status of small business hearing. Commissioner Richardson reported that it was Commissioner Thigpen's birthday.

Item 14 - General Public Comment

None.

Item 15 - Adjournment (Action Item)

Commissioner Thigpen made a motion to adjourn. Commissioner Albert seconded. The meeting was adjourned at 7:57 P.M.



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Small Business Commission >> Meetings

City and County of San Francisco

Small Business Commission



September 12, 2005

City and County of San Francisco

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Notice of Meeting & Agenda For Monday, September 12, 2005 City Hall, Room 400

5:30PM

**1 Dr. Carlton B. Goodlett Place , San Francisco, CA
94102**

COMMISSIONERS:

**David Sahagun, President
Norman Ishimoto, Vice President
Florence Alberts
Michael E. O'Connor
Dr. Raye Richardson
Jordanna Thigpen
Richard Ventura**

**Agnes Briones, Executive Director
Commission Secretary, Martha Yañez**

Roll Call for the September 12, 2005 meeting of the Small Business Commission

Approval of the August 8, 2005 Small Business Commission meeting minutes (Action Item)

General Public Comment -allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (Discussion Item)

Review, discussion and possible action to approve the proposed Small Business Commission by laws (Discussion possible action item) *Explanatory Documents: Draft by laws (Rules of Order)*

Review, discussion and possible action to approve the proposed 2005-2006 Small Business Commission Work Plan (Discussion possible action item) *Explanatory Documents: Draft 2005-2006 Work Plan*

Discussion and possible action for the SBC to participate in the Hong Kong - Guangdong Business Conference in San Francisco on October 14, 2005 (Discussion possible action item). Presented by Commissioner Alberts. *Explanatory Documents: Email from the Government of the Hong Kong & Guangdong*

Discussion of Hurricane Katrina and impact of such natural disaster on small businesses, and possible action to create a task force to work on small business emergency preparedness plan (Discussion possible action item)

Discussion of Minority Business Summit in Washington D.C. on Sept. 14, 2005 (Discussion item)

Review, discussion and possible action to approve the proposed 2005/2006 Small Business Commission budget (Discussion possible action item). Presented by Director Ubalde Briones. *Explanatory Documents: Proposed 2005/2006 budget*

1. Budget Committee Report - allows the Chair to report on recent committee activities and make announcements (Discussion item)
1. Legislation and Policy Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion item)
2. Community Outreach Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion item)
3. President's Report -allows the president to report on recent small business activities and make announcements (Discussion item)
4. Vice President's Report -allows the vice president to report on recent small business activities and make announcements (Discussion item)
5. Director's Report - allows the director to report on recent small business activities and make announcements (Discussion item)

- j. New Business -allows the Commissioners to introduce new agenda items for future consideration by the Commission. See some items below among possibly others (Discussion item)

- SB C's joint efforts with SFSU/West Portal Merchants Association (Commissioner Alberts)
- SB C to make contact with new Russian Federation of Chamber's Trade Office (Commissioner Alberts)
- SB C to work more closely with Dept. of Commerce and foreign consulates (Commissioner Alberts)

17. General Public Comment -allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (Discussion Item)

3. Adjournment (Action item)

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Small Business Commission >> Meetings

City and County of San Francisco

Small Business Commission



September 12, 2005

CITY AND COUNTY OF SAN FRANCISCO SMALL BUSINESS COMMISSION

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

MEETING MINUTES

Monday, September 12, 2005 5:30 PM

____ Small Business Commissioners ____

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts, Michael O'Connor, Dr. Raye Richardson, Jordanna Thigpen, Richard Ventura

Executive Director - Agnes Briones
Commission Secretary - Martha Yañez

Members Absent: Commissioner Richardson

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Call to order:

Item 1 - Roll Call

The Small Business Commission met on Monday, September 12, 2005 in regular session. The meeting was called to order at 5:40PM

Item 2 - Approval of minutes for the August 8, 2005 meeting of the Commission (Action Item)

The item was tabled until the October meeting.

Item 3 - General Public Comment (Discussion Item)

Scott Hauge, of Small Business California asked if the commissioners had read an email from Manny Rosales of the SBA dated September 8th. He said that the email praised the commission and said that the SBC's disaster plan for small businesses has been adopted by countries in Asia.

Item 4- Review, discussion and possible action to approve the proposed Small Business Commission by laws

Commissioner O'Connor made a motion to approve the proposed by laws. Commissioner Ishimoto seconded. Unanimous approval from the commission.

Item 5 - Review, discussion and possible action to approve the proposed 2005-2006 Small Business Commission Work Plan

Commissioner Ventura made a motion to approve the work plan.

Commissioner Thigpen seconded. Unanimous approval from the commission.

Item 6-Discussion and possible action for the SBC to participate in the Hong Kong -Guandong Business Conference in San Francisco on October 14, 2005
Commissioner Alberts stated that it would behoove the commission to show interest in working with the Northern California World Trade Center organization and the many foreign countries that they work with.
Commissioner Alberts made a motion for the Executive Director to take the necessary steps to contact the organizing committee and to express our interest in participating in the event. Commissioner Thigpen seconded. Unanimous approval from the commission.

Item 7- Discussion of Hurricane Katrina and impact of such natural disaster on small businesses, and possible action to create a task force to work on small business emergency preparedness plan

Commissioner Thigpen stated that the commission had discussed this some time ago and it had been decided that a task force or special committee should be established specifically to focus on the issue of an emergency preparedness plan. Commissioner Sahagun stated that it was the wish of the commission to have small businesses as the table when these issues are being discussed. He said small businesses are crucial to a city's emergency preparedness plan, stating that they are often the first responders, providing much needed materials etc. Commissioner Ishimoto stated that San Francisco has seen many disasters and people have experienced situations. He said it would be a good idea to begin to meet and share stories as a way to prepare and learn from one another. Director Briones Ubalde introduced Amy Ramirez and Anne Stangby of the Office of Emergency Services (OES). Anne Stangby said that OES and the Department of Human Services put together a shelter to receive victims of the hurricane. However she reported that FEMA had said that no one would be sent to San Francisco at the current time. She said that they are very interested in businesses preparing for a disaster, but said that more importantly the city wants to know that they can rely on small businesses during a disaster. Amy Ramirez reported that they are planning for a possible forum that would be scheduled for October 26th, but she said that the topics have not been determined as of yet. She said they need stakeholders to come to them and tell them what is important, and said that they planned to have the first meeting of this stakeholder group on September 23rd. Paul Pendergast of Pendergast and Associates, a small business, and a member of the public stated that while there is a vacuum of information out there on this topic, the important thing is to get buy in from politicians and key stakeholders. He said that while it is great that the commission is taking this up, unfortunately many other city officials have not shown interest, including Susan Leal of the PUC, Supervisor Peskin and others. He said the problem was not putting out materials, but rather gaining interest from those in positions of power. Anne Stangby stated that the Mayor has a Disaster Council that meets the 3rd Thursday of the month and said that this would be a great opportunity for this to be brought up there. She said the council is made up of key department heads, including Fire Chief Joanne Hayes-Wight and Police Chief Heather Fong, and some members of the Board of Supervisors, including Supervisor's Ma, Alioto-Pier, and Mirkarimi. Commissioner Sahagun asked if small business is represented on the council. Anne Stangby replied stating that she was not certain. Commissioner

O'Connor asked what if anything had been done in Louisiana to prepare businesses for a disaster. Anne Stangby replied that she did not know. Commissioner Sahagun said it is very important to have a small business representative on the council, adding that if there is currently not a small business seat, there ought to be. Bernardo Mendez of the Mexican Consulate and a member of the public stated that the following morning at 10:30AM there would be a meeting to discuss disaster preparedness. He said that there are roughly 100 thousand Mexican owned businesses that were affected in Mississippi. He said that the Spanish media would be there and he would like to share with the commission the result of that meeting in the near future. Stephen Cornell, a member of the public and a small business owner stated that people may think about preparedness right after a disaster, but generally he said people forget about it after it passes. He stated he was offended by the comment from OES staff that they want to know they can count on small businesses. He said they are always there, however the same can not be said of the city. He said this is why the city should support local small businesses instead of giving their business to out of state businesses that are not here in times of need. Commissioner O'Connor suggested that Stephen Cornell be asked to participate and be a part of the stakeholder group. Commissioner Sahagun asked that former commissioner Gwen Kaplan also is invited to participate in the group. Commissioner Alberts made a motion to establish a stakeholder group. Commissioner Ventura seconded. Unanimous approval from the commission.

Item 8- Discussion of Minority Business Summit in Washington D.C. on September 14, 2005

Director Briones Ubalde stated that she had been personally invited by Congresswoman Nancy Pelosi to attend said conference. She announced that she would be attending and would report back to the commission. She said she would be meeting with Congresswoman Pelosi's Chief of Staff. Commissioner Ventura suggested that Director Briones ask or suggest for the summit to be expanded to include more people.

Item 9- Review, discussion and possible action to approve the proposed 2005/2006 SBC budget

Commissioner Sahagun said that the Budget Committee had reviewed and approved the budget at a prior meeting. He said that there was some misunderstanding with respect to the previous meetings, stating that the budget had only been passed by the budget committee and not sanctioned by the full commission as previously stated. He said that the issue would be before the commission at this time. The budget that was originally passed by the budget committee had sense been cut and he went through the current budget line item by line item. The total budget for the year is \$291,347, of which, \$190,397 are fixed costs, including salaries, benefits, travel and supplies. Director Agnes directed folks to look at the spreadsheet (see attached Draft FY05-06 budget and spreadsheet). The remaining budget being \$100,950. He continued stating that the commission is assessed some overhead for different city services that assist the commission, including city attorney fees, web design, Department of Telecommunications and Information Services, and Reprographics. He said that these services total \$50,900, leaving \$50,050 of discretionary funds. He said that of those discretionary monies, the commission has committed \$20,000 for the Shop

Local First campaign, stating that remaining in the budget of discretionary funds are roughly \$30,000. Having explained that he then discussed what the budget committee had previously budgeted for, including marketing and education, including the GBS book, sfbizinfo and SF Prospector info, community benefits districts, which were previously funded, community outreach and promotion, including neighborhood business directories, green business summit, Shop Outside the Box, and a mentorship program. He said that with the \$30K monies will need to be re allocated and or shifted since there will be no way for the commission to do everything they had planned to do. He said that one of the nice things is that the Commission will no longer fund the Community Benefit Districts, nor the Green Business Summit, which he said would be better suited for the department of the Environment. He said that the budget committee has since approved this amended budget as detailed, with the emphasis that with this limited budget the commission ought to set aside that money for its key strategic initiatives. Commissioner Alberts asked about small business week and if it had been factored into the budget. Commissioner Sahagun stated that the commission would try to leverage funds. Commissioner Alberts asked how much was expended last year for small business week events. Director Briones Ubalde responded stating that the commission did not spend any of its money for small business week events last year, adding that the commission raised corporate sponsorship from Wells Fargo in the amount of \$26,000 to offset those costs. Commissioner Ishimoto asked if the director's trip to Washington would eat up the travel budget. Director Briones Ubalde responded stating that her ticket had only cost \$250. Commissioner Alberts asked about how it is anticipated that the task forces will spend the money set aside for strategic initiatives. Commissioner Sahagun responded stating that the budget committee will determine how to allocate the money and to recommend how the money is allocated, adding that they would hope to get input from each task force with respect to their needs to accomplish their goals. Commissioner Thigpen stated that the commission ought to work with other departments who have the funds in order to push its initiatives forward, adding that there are departments that have funds that would like to work with the commission to implement programs. She said that what they are looking for is leadership from the commission. Commissioner Thigpen made a motion to approve the budget committee's recommendation to approve the budget as submitted. Commissioner Ventura seconded. Unanimous approval from the commission.

Item 10 - Budget Committee Report

Commissioner Sahagun reported that the committee had discussed the economic development plan, or Prop. I, which is being implemented, adding that it is actually a two part process. He explained that the first part of Prop. I was to hire two economists, which will serve under the Controller's Office and whose task it will be to evaluate legislation to figure out what the true cost of implementing the legislation would be. Secondly, Prop. I mandates that the city develop an economic development plan for the City and County of San Francisco. He reported that the city is moving forward on the second part, adding that the Mayor's Office of Economic and Workforce Development, headed by Jesse Blout has been working with Director Briones and others to hire a consultant that will work with them on the drafting of the economic development plan. He reported that he had met with Director Jesse Blout and communicated the importance of small business to this economic

development plan, adding that the small business component is imperative and said that small businesses need representation in the development of the plan. He said that the small business component must come from the small business community and the Small Business Commission that represents them. He said that he had received assurances that small business would be represented in the development of the plan, adding that Director Briones Ubalde had been working hand in hand with the Mayor's office and she would continue to do so moving forward. He also provided an update on the controller's city survey, stating that the questions needed to be forwarded to the controller ASAP. He asked commissioners to get Director Briones Ubalde their questions to be forwarded to the Controller's Office. The questions should focus on small business issues and should try to somehow gauge small business climate in the city.

Item 11 - Legislation and Policy Committee Report

Commissioner O'Connor reported that he and Director Briones Ubalde would be meeting with Supervisor Fiona Ma. He also reported that he would be representing the commission on the Back Street Business Task Force and said that they would begin to meet regularly the 1st Wednesday of the month and he would be reporting back to the commission.

Item 12- Community Outreach Committee Report

Commissioner Thigpen reported that Small Business Week Planning and Shop Local First planning are underway. Don Schaefer (BALLE, and consultant for Shop Local First) will be meeting regularly with her and staff to keep us abreast on the status of the project. Director Briones Ubalde and she met with staff from SBA to begin preliminary planning for Small Business Week.

We are targeting SF Small Business Week to take place May 15-21st. Staff is securing the use of City Hall Rotunda, North & South Light Courts for the evening kick-off reception; and also securing the Mayor's participation and support of the week. Commissioner Ventura was not present, but conveyed to Committee through Director Briones Ubalde that he would like the Commission to take on targeted merchant & industry-by-industry visits and forums as an opportunity to better understand the needs of our diverse small businesses. He will be working with the Director to propose an industry-by-industry focus groups / forums schedule for the year based on the various SIC / NAICS codes that break down the type of industries that are in the City.

Item 13 - President's Report

Commissioner Sahagun reported that there is a new South Beach Merchants Association that has formed with over 100 members. He believed Less Hennessey was the person coordinating the new association. Commissioner O'Connor asked what business Mr. Hennessey owns. President Sahagun replied that he owns a fine wine shop on 3rd and Howard. Commissioner Thigpen suggested that the Commission send a letter to the South Beach Merchants Association welcoming them to the business community and providing information about the commission and some of the initiatives that we are working on. Commissioner O'Connor stated that the Divisadero Merchants Association had just had their second meeting. Commissioner Ishimoto said not to forget Ms. I Lee Murphy-Reeds new group. Commissioner Ventura said please note that the African American Chamber of Commerce replaces the Black Chamber of Commerce, stating that they are no longer in existence.

Item 14 - Vice President's Report

Commissioner Ishimoto reported that the SBC participated in the Filipino Pistahan festival in August and said that it went very ragidly, primarily because it took so long for the festival to get funding that there was no time for planning. He reported that this was disappointing because he did have one good hour in which a dozen or so people approached his table seeking information. He said he would give a more detailed report at a later date, but wished to make one point that being a budgetary one that being that the SBC ought to have money to pay for this type of event throughout the city. He hoped the commission would be in a better position next year to conduct the outreach. He commended staff for doing their best to make this happen at the last minute.

Item 15 - Director's Report

Director Briones Ubalde commended the commissioners for championing specific issues of interest to them, from earthquake preparedness, and small business week, to working with the consulates and minority business contracting. She reported on the Small Business Awards program stating that staff would be meeting with the Treasure's Office on this issue. She said she was a bit confused and frustrated because it now appears that there is another business awards program with a non profit. She also reported on a couple of upcoming conferences, one being the Chamber of Commerce Health Conference on September the 15th. She said that all commissioners are invited to attend.

Item 16 - New Business

- SB C's joint efforts with SFSU/West Portal Merchants Association (Commissioner Alberts)
- SB C to make contact with new Russian Federation of Chamber's Trade Office (Commissioner Alberts)
- SB C to work more closely with Dept. of Commerce and foreign consulates (Commissioner Alberts)

Director Briones Ubalde introduced some items in addition to those listed above. These items were referred to the commission by the Board of Supervisors, including:

- File N o. 051515, Hearing to allow the city's OES to provide information on emergency plans and preparedness in the event of a disaster
- File N o. 051516, Hearing on San Francisco 's disaster preparedness in the event of a man made or natural calamity
- File N o. 051(5)49, Ordinance amending SF Parking Code by amending Section 3.61 to redefine the downtown corridor area

Commissioner Sahagun referred all new items to the Legislation and Policy Committee for review and recommendation. Commissioner Ventura requested to add for the next meeting the discussion of merchant walks. Commissioner Thigpen stated that the commission had extended an invitation to the guy

from Micromentor.org, stating that he was supposed to come to this meeting and asked for staff to follow up. Commissioner Alberts reminded the commission that the time is approaching for the joint venture between SFSU and the commission to work on the survey of the West Portal merchants, adding that this could also play into the questions for the city survey. She suggested that Commissioner Ishimoto start working with Dr. McCline and that they convene a meeting of the task force to begin hashing out the questions for the survey. She also suggested that they seek out the support and input of the West Portal Merchants Association. Commissioner Sahagun referred the item to the Community Outreach Committee. Commissioner Alberts stated that there is also a new Russian Federation of Chambers that opened a trade office in San Francisco. She said that this ties into the other new items she introduced, adding that she was interested in an update on the Department of Commerce import export program. Commissioner Ventura stated that the purpose of the program was a sort of boot camp to identify companies that are either early stage or have been in existence for 5 years that want to do international trade. Commissioner Alberts stated that she would like to refer these things to the Community Outreach Committee and have some action come out of it. She said that the commission ought to be doing something with respect to the matchmaking efforts with all these organizations, including the Mexican Consulate and the Ukrainian Consulate and the people that they represent. She said it is a natural match and said that Stephen Crawford of DOE is very busy with international matches. Commissioner Sahagun asked Commissioner Alberts to provide staff with the contact info for the Russian Federation of Chambers. Commissioner Thigpen requested clarification and asked Commissioner Alberts to explain what she would like to see come out of this, and what she expects the COC to do, since it is her initiative she said. Commissioner Alberts said she would send her an email by the next COC meeting on the 22nd.

Item 17 - General Public Comment

Myron, owner of ShoeBiz stated that outside of ShoeBiz he has a post graduate degree in structural engineering and is a levy engineer by profession. He stated that after the 1989 earthquake (Loma Prieta), they learned how wrong they were as seismic engineers about structural integrity and stability of infrastructure, adding that nonetheless, they have not improved their understanding of seismic forces, they don't know what they are dealing with and they have not improved their infrastructure. Having said that he said that the task force is extremely beneficial to small businesses, so that they know what they are supposed to do and what resources are available to them, adding that the community needs to pull together. He said Katrina was just an eye opener, and what the Bay Area faces is far greater than what Katrina did to Louisiana. He wrapped up by offering his expertise and his assistance. Commissioner O'Connor asked Myron to get in contact with Commissioner Ishimoto and participate in the task force. Commissioner Thigpen shared a personal story of businesses in Louisiana and Mississippi that she does business with, stating that she has not been able to get in touch with them. She said it is devastating.

Item 18 - Adjournment (Action Item)

Commissioner Thigpen made a motion to adjourn. Commissioner Ventura seconded. Unanimous approval from the commission.



City and County of San Francisco



SMALL BUSINESS COMMISSION

Notice of SPECIAL Meeting & Agenda For Monday, October 3, 2005

City Hall, Room 201

5:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

COMMISSIONERS:

David Sahagun, President
Norman Ishimoto, Vice President
Florence Alberts
Michael E. O'Connor
Dr. Raye Richardson
Jordanna Thigpen
Richard Ventura

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Agnes Briones, Executive Director
Commission Secretary, Martha Yañez

1. Roll Call for the special October 3, 2005 meeting of the Small Business Commission
2. Approval of the August 8, 2005 Small Business Commission meeting minutes (Action Item)
3. General Public Comment –allows members of the public to comment generally on matters within the Commission’s purview, as well as to suggest new agenda items for the Commission’s future consideration (Discussion Item)
4. Review, discussion and possible action on Proposed Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for qualified clean energy technology businesses as specified. Presented by Betty Chan of the Office of Supervisor McGoldrick (Discussion possible action item) Explanatory Documents: File No. 50922
5. Review, discussion and possible action to approve to convene a public hearing to illicit input from small business owners on Folsom Street around the potential conversion of Folsom Street from a One Way 4 lane street into a more neighborhood friendly 2 way blvd (Discussion possible action item)
6. Presentation, discussion and possible action on MTA’s pilot program, San Francisco Parking Card, to be used instead of coins for parking meters around the city. Presentation by Diana Hammons of the Municipal Transportation Agency (MTA) (Discussion possible action item)
7. Presentation, discussion and possible action for the Small Business Commission to co sponsor SF Cuts for Katrina, a charity event at Union Square on Sunday, October 9, 2005 benefiting the Red Cross and Habitat for Humanity. Presentation by SBC staff (Discussion possible action item)
8. Budget Committee Report – allows the Chair to report on recent committee activities and make announcements (Discussion item)
9. Legislation and Policy Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion item)
10. Community Outreach Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion item)
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14. New Business –allows the Commissioners to introduce new agenda items for future consideration by the Commission. See some items below among possibly others (Discussion item)
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16. Adjournment (Action item)

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Small Business Commission >> Meetings

City and County of San Francisco

Small Business Commission

October 03, 2005

**CITY AND COUNTY OF SAN FRANCISCO
SMALL BUSINESS COMMISSION**

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

MEETING MINUTES**Monday, October 3, 2005 5:30 PM**

____Small Business Commissioners____

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts, Michael O'Connor, Dr. Raye Richardson, Jordanna Thigpen, Richard Ventura

Executive Director - Agnes Briones

Commission Secretary - Martha Yañez

Members Absent: Commissioner Ventura, Commissioner Alberts (both excused)

Call to order:**Item 1 - Roll Call**

The Small Business Commission met on Monday, October 3, 2005 in special session. The meeting was called to order at 5:36PM

Item 2 - Approval of minutes for the August 8, 2005 meetings of the Commission (Action Item)

Commissioner O'Connor made a motion to approve the August meeting minutes. Commissioner Ishimoto seconded the motion. The Commission unanimously approved the minutes as submitted.

Item 3 - General Public Comment (Discussion Item)

Scott Hauge, of Small Business California reported that the Louisiana Association of Business and Industry (LABI) started taking applications for grants on September 15th and said that they had made their first award on this day. He provided specific examples of businesses including the type of business and number of employees, reporting how much each of them had received. He said that the businesses are identifiable. He talked about a possible sister city program between San Francisco and Louisiana, which would involve folks from San Francisco traveling to Louisiana to show their support. He reported that he had raised \$40,000 of his \$250,000 goal and he praised the LABI, stating that they are doing a great job. Furthermore, speaking on behalf of the Small Business Advocates he commented on the issue of the light rail on Geary Street, stating that the commission ought to take a look at this issue. He said David

Heller of the Geary Merchants Association is working on this and he suggested that the commission look into it. **Commissioner Richardson** asked about an item she had inquired about and wanted discussed at the commission, that having to do with the 3rd street merchants and the status of the light rail project out there. **Commissioner Ishimoto** asked about the Geary light rail, asking if it is being studied again because he remembered the issue being discussed about 12 years ago. He wondered if this was new. **Scott Hauge** responded stating that it is old but new. **Commissioner Thigpen** asked who the parties are involved. **Scott Hauge** responded stating that Ron Miguel of the Planning Association of the Richmond is involved as well as others. **Commissioner O'Connor** suggested that the commission think about an approach to get involved, possibly holding hearings with MTA or the Geary Merchants. Either way he was for the commission taking the ball and rolling with it. **Commissioner Sahagun** asked Director Briones Ubalde to contact David Heller and Ron Miguel. **Commissioner Richardson** said that it was important to have some connectedness between both Geary Blvd and 3rd Street light rail. **Commissioner O'Connor** agreed that the lessons learned could certainly be helpful and applied to work on Geary Street. **Commissioner Sahagun** going back to the grants program in Louisiana thanked Mr. Hauge for all his work and efforts on that program.

Item 4- Review, discussion and possible action on proposed ordinance amending the Payroll Expense Tax Ordinance to establish tax exclusion for qualified clean energy technology businesses as specified

Betty Chan, Legislative Aide to Supervisor McGoldrick reported that the proposed legislation had been heard at the Budget and Finance Committee last Thursday at which point it was passed with recommendation to the full BOS. She said that this came about because they got hold of a report on Clean Technology from the Department of the Environment. She said the report said that San Francisco is on top of the issue, adding that at the state level there are a number of programs, but said that San Francisco has the only solar power program and also has the highest level of recycling. Furthermore she said that San Francisco also has a lot of natural capital such as high winds, high tides, and some sun, adding that because of the size of the city, San Francisco is suitable for this. She stated that 36% of all venture capital is invested in CA, adding that San Francisco has a competitive edge, so the question she said was if this is all true, then why haven't these companies located here. She said that the answer is in San Francisco's high cost of living and high cost of doing business. She said that they thought this payroll exemption would be one way to lure these companies here. She briefly described the types of companies that would qualify, including companies that do the right type of activity including research and development, and manufacturing work. She said that they must also do 75% of the work in renewable energy, and employ 10 or more and up to 100 employees. If they meet these requirements, they then may exclude compensation to employees that work in San Francisco. She stated that the Department of the Environment has worked with their office on the regulations, stating that DOE would help the businesses qualify and then send the applications to the Treasure and Tax Collector for implementation. **Commissioner Thigpen** asked why recycling was not included in the mix of businesses eligible for the exemption. **Betty Chan** replied stating that in this case they wanted to focus on renewable energy type of businesses. **Commissioner Thigpen** suggested

lowering the number of employees to 5 instead of 10. Furthermore she wished to point out that yet again they are faced with an amendment to the payroll tax. She suggested for the SBC and/or the BOS to create a taskforce to talk about the payroll tax in general and come up with an alternative, more equitable form of tax for all. Commissioner Ishimoto strongly agreed with these sentiments. He also asked what the size of this industry currently is in San Francisco and how many companies can they expect to get as a result of this exclusion. Betty Chan stated that per the TTX there are 14 companies currently in San Francisco and said that it is unclear how many more would locate here as a result. Commissioner Ishimoto said it is nice to have this, but it won't be worth it if people don't know about it. Director Briones Ubalde suggested that Supervisor McGoldrick's office work with the commission to partner and discuss ways to get the information out to small and mid sized businesses. Commissioner Sahagun stated that while he is glad that another industry will not have to pay the payroll tax, he wished that all businesses didn't have to pay it. He commented that he would like someone to look into providing a tax credit to small businesses, adding that they are key to neighborhoods, safety etc, many of whom have been in their communities for decades. He requested that his comments be taken back to the supervisor, stating that he has a lot of small businesses in his district. Furthermore he commented on On Bill Financing, stating that the city may want to look into giving tax credits to businesses that avail themselves of On Bill Financing.

Commissioner Thigpen made a motion to support the legislation and recommend that the number of employees be lowered from 10 to 5. Commissioner Richardson seconded the motion. Scott Hauge a member of the public addressed the motion stating that he agreed that the number 10 is too high, but asked why there has to be a minimum number at all. Commissioner Thigpen amended her motion to state that there ought to be no minimum number of employees, and to include the installation of clean energy technology (see Section 1, B (3)). Commissioner Richardson approved the amendment. Unanimous approval from the commission.

Item 5 - Review, discussion and possible action to approve to convene a public hearing to illicit input from small business owners on Folsom Street around the potential conversion of Folsom Street from a One Way 4 lane street into a more neighborhood friendly 2 way blvd

Commissioner O'Connor reported that there had been a 22 page study by the Transportation Authority. In 2000 when Supervisor Daly was elected, he asked Commissioner O'Connor to look into this issue. He said the study is a result of that, and he would like to hold a public hearing on the issue. He said he would like to invite the businesses community on and around Folsom Street so that they can express to the commission what they want and would like to see happen. He said that the neighborhood has undergone substantial changes and he doesn't believe the one way street is conducive to the new neighborhood. Commissioner Thigpen asked what the next step would be. Commissioner O'Connor replied stating that he and Director Briones would outreach to the community and he proposed a public hearing. Commissioner Sahagun suggested the November meeting for the hearing.

Item 6-Presentation, discussion and possible action on MTA's pilot program, San Francisco Parking Card, to be used instead of coins for parking meters around the city.

Diana Hammons of the Municipal Transportation Agency said that in 2002

there was a city wide conversion of parking meters to accept a pre paid parking card known as the smart card. She said that while this originally got held up, 4 months ago they did give notice to proceed. She reported that they recently ordered 1000 cards at \$20 and \$50 value, and said that they would be available for sale in December. Commissioner Thigpen asked why folks can't simply use a credit card. Diana Hammons replied stating that it would require modem, adding that meters don't support modems. Commissioner Thigpen asked where the pilot project would be rolled out at. Diana Hammons replied stating that it would be citywide. Commissioner O'Connor asked who is opposed and who is supporting the parking card. Diana Hammons stated that the pilot project came about from comments they heard, adding that people asked for this. Commissioner Richardson asked who benefits from this. Diana Hammons stated that the customer benefits, the businesses. Commissioner Sahagun requested that MTA keep in mind that higher meter rates do affect business districts; however he said he would appreciate it. He asked what the revenue was prior and what the projected revenue is. Diana Hammons replied stating that the revenue was 17 million and the projected revenue is 20 million. She also said that later they will save more with the reduction of coin counters. Commissioner Sahagun expressed his concern with the fast pass revenue office handling the distribution of the parking card. He asked how much a business that would be interested in selling the parking card, would pay in order to sell it. Diana Hammons replied stating that businesses would pay 25 cents per cards like the fast pass. Commissioner Sahagun suggested that the commission rate should be reconsidered and re-evaluated and be made a percent of the amount of the value of the card. He asked what would happen if a small business owner who sells the parking card receives a bad check. He asked if the MTA has a mechanism in place to cover costs, adding that this would be a cost that small businesses would have to eat. He asked if the city checks that a business selling the parking card pays its employees the minimum wage. Diana Hammons replied stating that all businesses have to sign contracts with the city in which they agree to comply with city regulations, including minimum wage. Commissioner Thigpen made a motion to support and strongly urge MTA to reconsider the commission paid to the participating merchants that sell the parking card so that it is a percentage of the value of the card and not the current flat rate of 25 cents. Commissioner O'Connor seconded the motion. Unanimously approved by the commission.

Item 7- Presentation, discussion and possible action for the Small Business Commission to co sponsor SF Cuts for Katrina, a charity event at Union Square on Sunday, October 9, 2005 benefiting the Red Cross and Habitat for Humanity

Director Briones reported that the event had been cancelled, stating that the event sponsor could not produce the necessary insurance requirement in time for the event to go forward. Furthermore, she recommended that in the future, the commission stick to the commissions work plan.

Item 8- Budget Committee Report

Commissioner Sahagun reported that the Budget Committee had not met thus there was nothing new to report.

Item 9- Legislation and Policy Committee

Commissioner O'Connor said that he did not have a lot to report, adding that they are waiting to have a follow up meeting with Supervisor Ma, stating that some of the significant things that they are doing are dependant upon that meeting.

Item 10- Community Outreach Committee Report

Commissioner Thigpen reported that they are working on two initiatives at this time. The first being Shop Local First, adding that the Mayor will be participating again this year. She reported that the subcommittee is meeting every two weeks and said that both SFLOMA and Renaissance are partners in this year's event. She reported that they are also working with the Mayor's Office on a policy initiative that would require city departments to spend 25% of their discretionary funds at local businesses located within the boundaries of the City and County of San Francisco. She suggested the commission discuss this further in November, and said that in the mean time the commission should work on a white paper. Finally she reported on Small Business Week 2006, stating that they have begun to meet with the partners including the SBA, the Chamber and Wells Fargo among others to begin planning next year's events. Director Briones Ubalde reported that Small Business Week would be May 15-20, 2006.

Item 11 - President's Report

Commissioner Sahagun reported that he and Director Briones Ubalde continue to meet with small business groups and individual small business owners, adding that recently they met with a group that represents the 2nd story businesses, who he said feel like they are often overlooked and ignored. He said they would be working with them to address their concerns. He reported that they had met with former commissioner Gwen Kaplan and Ms. Rosalie Bulach, owner of Namefinders Inc., a small business, regarding emergency preparedness. He reported that they discussed the definition of small business, stating that they seemed to believe that a higher number between 250 and 500 would be more representative of small businesses. He said that they talked about work force investment, adding that what these service type businesses find lacking are students with skills for their businesses. He said that working with the school district and with groups doing workforce investment would be a good thing and a way to help businesses. He said they talked about health care and workers comp issues and the importance of communications. He said Director Briones Ubalde has some great ideas to increase communication with the small business community including possibly a newsletter etc. Furthermore he reported that the economic plan continues to move forward and the Mayor's office is close to selecting a consultant that will help develop the plan. Lastly he said that they talked about the various things that ought to come out of the office, stating that since staff is strapped, the commission should look at increasing the staff at some point in order to push some of these issues forward.

Item 12 - Vice President's Report

Commissioner Ishimoto reported that he attended the Sunset Festival and co presented an award to a Sunset district small business owner with Treasurer Jose Cisneros. He also attended the Northern California Supplier Development Council's annual event, in which he helped staff the commission's table and talked to folks about the commission. He reported on the Disaster Preparedness Task Force, stating that he had met with OES and

various small business stakeholders and discussed participation in the Fisherman's Wharf Merchants Association Disaster Preparedness Forum on October 26th. He said he met with NERT staff and he encouraged the commission to become NERT certified. Finally he reported that he would be meeting with the SFSU team working on the West Portal business survey.

Item 13 - Director's Report

Director Briones Ubalde reported on the DBE stating that she and Commissioner Ventura had been pushing the issue, stating that they had provided comments including that the SBC propose a sort of technical assistance program that would help small businesses get ready for contacting if they are not quite ready. She reported on community efforts, stating that in the past the commission expressed an interest in holding meetings out in the community. She said that they would need to identify a location and be able to give 15 days notice. Furthermore, she reported on a program from the Goldman School of Public Policy, which could potentially provide students to help the commission with some of its proposed work. She said that the commission would need to submit a proposal.

Item 14 - New Business

Commissioner Thigpen requested to place on the agenda the Community Outreach Committees recommendation to appoint Commissioner Albert's as the Chair of the special committee (task force) that will promote international business in collaboration with the US Department of Commerce. She requested for the SBC to hold a hearing on yellow zones and their effectiveness or lack thereof in business districts (discussion/action item). Commissioner Richardson again requested to discuss the third street light rail project and for the commission to be briefed on the project and given an update. She was particularly interested to find out if the city provided reimbursement to businesses that lost business as a direct result of the construction activities due to the light rail.

Item 15 - General Public Comment

None.

Item 16 - Adjournment (Action Item)

Commissioner Thigpen made a motion to adjourn. Commissioner O'Connor seconded. The meeting was adjourned at 8:05 P.M.



City and County of San Francisco



SMALL BUSINESS COMMISSION

**Notice of Meeting & Agenda
For
Monday, November 14, 2005**

City Hall, Room 400

5:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

COMMISSIONERS:

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts

Michael E. O'Connor

Dr. Raye Richardson

Jordanna Thigpen

Richard Ventura

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Agnes Briones, Executive Director
Commission Secretary, Martha Yañez

1 DR. CARLTON B. GOODLETT PLACE, ROOM 448 SAN FRANCISCO, CALIFORNIA 94102

(415) 554-6134

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552
#1
11/14/05

1. Roll Call for the November 14, 2005 meeting of the Small Business Commission
2. Approval of the September 12 and October 3, 2005 Small Business Commission meeting minutes (Action Item)
3. General Public Comment –allows members of the public to comment generally on matters within the Commission’s purview, as well as to suggest new agenda items for the Commission’s future consideration (Discussion Item)
4. Presentation by the County Transportation Authority regarding the Draft 6-01 Strategic Analysis Report on Feasibility of Converting Folsom Street to a Boulevard. Presentation by Tilly Chang, Deputy Director of the CTA. Public hearing, discussion and possible action for the commission to make a recommendation on next steps (Discussion possible action item)
5. Presentation, discussion and possible action on proposed urgency ordinance approving an interim zoning moratorium on new check cashing and pay day lender uses for 45 days and making required findings, including findings related to the imposition of an interim moratorium, findings of consistency with the priority policies of Planning Code Section 101.1, and environmental findings. Presented by David Augustine of the Office of the Treasure and Tax Collector (Discussion possible action item) Explanatory Documents: File No. 051721
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17. Adjournment (Action item)

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Office: (415) 554-7724
Fax: (415) 554-5163
E-Mail: sotf@sfgov.org

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City and County of San Francisco



SMALL BUSINESS COMMISSION

Notice of Meeting & AMENDED* Agenda For

Monday, November 14, 2005

City Hall, Room 400

5:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

COMMISSIONERS:

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts

Michael E. O'Connor

Dr. Raye Richardson

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Richard Ventura

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Agnes Briones, Executive Director
Commission Secretary, Martha Yañez

*Item 8 has been postponed and thus struck from this agenda

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Small Business Commission >> Meetings

City and County of San Francisco
Small Business Commission



November 14, 2005

CITY AND COUNTY OF SAN FRANCISCO
SMALL BUSINESS COMMISSION

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

MEETING MINUTES

Monday, November 14, 2005 5:30 PM

____ Small Business Commissioners ____

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts, Michael O'Connor, Dr. Raye Richardson, Jordanna Thigpen, Richard Ventura

Executive Director - Agnes Briones

Commission Secretary - Martha Yañez

Members Absent: Commissioner Richardson (excused)

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Call to order:

Item 1 - Roll Call

The Small Business Commission met on Monday, November 14, 2005 in regular session. The meeting was called to order at 5:36PM

Item 2 - Approval of minutes for the September 12 and October 3, 2005 meetings of the Commission (Action Item)

Commissioner Alberts requested that Item 10 on the September 12, 2005 minutes be amended to reflect the more detailed and itemized description of the budget.

Commissioner Ventura made a motion to approve the September 12, 2005 minutes pending amendments per Commissioner Alberts request, and to approve the October 3, 2005 minutes as submitted. Commissioner Thigpen seconded the motion. The Commission unanimously approved the minutes with amendments and as submitted.

Item 3 - General Public Comment (Discussion Item)

Kimo Crossman, a technology professional in the city spoke to the Tech Connect WiFi initiative being pushed by the city. He said that unfortunately there has been no public hearing on this process, stating that all the proposals have been redacted heavily, stating for example that the Google proposal was 100 pages of which only 6 are available to the public. He said that small businesses should care because the advertising that Google will provide to businesses in the city will end up favoring large companies that can afford to pay for a higher listing on the web. He talked about a large article in the Guardian regarding Tech Connect and the secrecy, adding that they have filed many Sunshine requests with the

city and they have been non responsive. He said that he came to try to build a coalition of various groups that will be affected by the WiFi initiative, adding that they are not against WiFi, but they are asking that there be open discussion regarding it. Commissioner Thigpen asked what a solution might be to this lack of public involvement. Kimo Crossman responded stating that they would like to have public hearings on this issue, adding that it is not an unreasonable request. He said that they have requested to see the proposals that companies have submitted, stating that the city will not reveal them. He said it is a large infrastructure issue, adding that it is equivalent to the city rolling out a water company with no public hearings. Commissioner Shogun asked Director Ubalde if she knew the status of the issue. Director Ubalde said that she knew that an RFI/RFC was released and said that she would follow up. Kimo Crossman said that the head of DTIS says that he will not answer calls until the 25th of November, and Ron Vinson his PR person is gone on an unannounced vacation for 2 weeks. He said that this was basically an effort to avoid the Sunshine request and hearing on the issue. He recommended that they have a hearing on the issue at the Small Business Commission to see how WiFi might affect small businesses. Commissioner O'Connor said that it was an interesting request and certainly an issue to pay attention to. Commissioner Shogun said that commission staff would follow up with DTIS staff. Heather Groninger of Jobs for Youth spoke to the commission about the newly revived initiative in the city with the goal of getting private sector employment opportunities for young people. She stated that Mayor Newsom launched the initiative in April but unfortunately there was not much activity in the summer. She said that they are really pushing to create 500 new jobs in the private sector for young people for this coming summer and would like to work with the Small Business Commission to spread that word, adding that they realize that most of the jobs will come from the small business sector.

Item 4- Presentation by the County Transportation Authority regarding the Draft 6-01 Strategic Analysis Report on Feasibility of Converting Folsom Street to a Boulevard.

Tilly Chang, Deputy Director of the CTAreported that MTA staff had reviewed existing studies and plans, field checks and looked at parking, bike, lanes, and researched other city's experience talked about existing conditions and the need for boulevard. She said that they had found that there was rapid change occurring in the area, with 20K people in the area and growing. She reported that they found that 34% of residents in the area walk to where they have to go, and said that the environment in the area if you walk is hostile due to the circular movement which is due to the one way. She said that there is a need for better services in the area including parking and enforcement of double parking and weaving across lanes. In 2004 there was an architectural workshop to think about looking at Folsom and its redesign. She said that they wanted to look at way to reconfigure Folsom Street at that time and they took into account both one and two way plans. Ms. Chang made available copies of the strategic analysis report to the commission and the public (see attached Strategic Analysis Report), and she presented the various alternatives. Commissioner O'Connor asked if her staff had looked at how the plan would impact the business community on or near Folsom Street. Ms. Chang replied stating that they had not looked into this so much, adding that they would be submitting report to their committee in December or January, stating that this is when the outreach would really be done. and that is when the outreach will really be done. Commissioner Ventura asked if there would be a cost to

businesses for implementing such a reconfiguration, and asked if the commission could be notified of any forums moving forward so that they could share the information with their constituents. Commissioner Thigpen stated that she too would like for the impact on businesses to be considered due to the potential construction impacts, adding that this needs to be considered before planning and construction begins so as to not adversely affect the business community in the area. Supervisor Chris Daly thanked the commissioners, specifically Commissioner O'Connor for dreaming this up years ago. He said that there is a great opportunity in this possibility, one for a more livable more walk able area, and said that there would be a big upside to the reconfiguration. Commissioner Shogun stated that the commission would need to look at deliveries being made to this area and the general parking issues in the area, adding that there are a lot of issues that affect the businesses on Folsom Street. Commissioner O'Connor said that he wanted to have this meeting here at the commission so that small businesses could play a role at the beginning of the process, instead of at the end. Jay Sweet, a lighting designer and business owner of Boyd Lighting Company at 944 Folsom Street said that he thinks the idea of turning Folsom Street into a 2 way street is a great idea, and said that he would be willing to talk to anyone and everyone about it in order to see it come to fruition. Walter Magnacarmen, a restaurant owner at 9th and Folsom Street said that the idea would impact his restaurant a bit, stating that currently there is low income housing behind his restaurant and new apartments being built. He said there is no parking for his customers because the parking is being used by the visitors to the low income housing behind his restaurant. He said that the meters around his business are 6 minutes for every quarter, which he feels is too little time too much, which he believes has impacted his business. He said that under these circumstances he has had to cut back hours, closing for lunch and only opening for dinner. He said that the two way street would be a good idea and would be better for businesses. Furthermore he suggested parking stickers for businesses, so that each business is able to park free near their business.

Patrick Reagen of the non profit, CVE located between 10th and 11th Streets stated that their non profit runs businesses, although none of them are ran currently out of their main facility. He said he liked the idea but said that his main concern would be access for their clients, adding that most of the people coming to their facility use public transportation or bicycles. Bruce Bonaker of the Small Business Advocates and Chair of the Land Use and Transportation Task Force stated that while they have not done a thorough review of this, they have discussed it at their committee. As an architect himself, he said that it is a very intriguing concept for the commission to pursue and he encouraged the commission to encourage the city to pursue it. He raised a couple of concerns, those being for the city to keep in mind that there are events that occur along Folsom and Howard and what impact might concentrating the buses on either Folsom or Howard might have on these events, adding that he might be inclined to look at a scenario that would place the buses on Howard rather than on Folsom and he encouraged the commission to encourage MTA staff to look at that alternative. Furthermore he said he was concerned that city staff has not put in any effort at looking at the impact it will have on small businesses, and again he encourage the commission to encourage city staff to factor it in not just in a political way, but an intellectual way and a study way. John Honda, owner of a small general contracting construction company, said that he appreciated the outreach by the commission to get the word out about this proposal before it

is decided. He said he thought it was a good idea, change is good, but also said that accessibility issues are important to his type of business due to deliveries and work trucks etc, so it is important to be able to get things in and out of his business. He asked to be included in the process and be kept informed. Stephen Cornell, of the Small Business Advocates said that he found it hard to believe that small businesses in the area have not been included in the study or that it has not been considered. He said that every single front on Howard Street is a business, adding that they should be very much included and put in the plan. He also suggested that the study include the alleys in and around the area because many businesses have entrances via the alley. He asked if the study include Moscone Center because he said if this gets expanded to Howard Street then Moscone Center is stuck in the middle and he said that there are loading docks coming in from Folsom Street and the big trucks etc. might impact the area even more and said that all this should be considered. Jenny McNulty, Executive Director of Urban Solutions in the South of Market, stating that they assist small business owners in the neighborhood getting loans, and run an economic development program on 6th street and support the South of Market Business Association. She said that she had been hearing about this idea for some time, and said that she was pleased to see it gathering momentum and was glad to see the commission focus on the issue. She reported that she had heard from local merchants that were very excited over the idea and said while there are many issues about it; many of the merchants feel that they will benefit greatly from the increased pedestrian traffic and the increased bus routes. Commissioner O'Conner thanked the public who came out to speak on the issue for their interest and their involvement, particularly Supervisor Daly and all the small business owners and advocates, as well as MTA staff. He said it was still very early in the process and he suggested that those interested give their information to MTA staff to be kept abreast of the project moving forward. Tilly Chang announced a series of upcoming public workshops on the Geary Transit study, stating that they would be taking place Tuesday, December 6, 8th and 10th, adding that the information could also be found on their website at www.sfcta.org. She encouraged everyone to bring their public input to that meeting as well.

Item 5 - Presentation, discussion and possible action on proposed urgency ordinance approving an interim zoning moratorium on new check cashing and pay day lender uses for 45 days and making required findings, including findings related to the imposition of an interim moratorium, findings of consistency with the priority policies of Planning Code Section 101.1, and environmental findings

David Augustine of the Treasure's Office explained that they had been working with Supervisor Tom Ammiano's Office to craft legislation that would address a growing problem. He said the problem is that there are 56 of these types of businesses in San Francisco that are actually registered with the state, possibly more that are not. He reported that a disproportionate number are located in distressed neighborhoods, and said that there is a concern that these types of businesses are preying on the poor. Commissioner Thigpen thanked Treasurer Cisneros and Supervisor Ammiano for crafting the legislation, stating that these entities are predatory and create blight. Commissioner Ventura stated that for some people this is the only way to cash a check. He asked about alternatives. David Augustine said that the Treasurer was currently working on an alternate plan and he hoped

to have more information in the near future. Commissioner Ventura offered the Community Outreach Committee's assistance in getting the word out to the business community. Commissioner Ishimoto asked if these companies were local or chain type businesses. David Augustine replied stating that the companies were mostly chains. Commissioner Ventura offered that many banks are moving toward the promotion of check less accounts, stating that it is a check card that is chargeable, so that anyone who has direct deposit can use it to charge that card, adding that this is a way that they can draw money and also gets folks on the way to becoming bankable which is the bigger issue. David Augustine agreed that it is a wonderful product and said that they are trying to promote banks that have the product and tell others that it can be done by referring to those that are currently providing that service. Commissioner Thigpen asked if there had been any comprehensive study's done to look more closely at the issue. David Augustine agreed that this was correct and said that indeed the genesis of the legislation is a Brookings Report that was done for the city of San Francisco that actually prepared the chart showed here today and a study, which he said he could share with the Commission that details in San Francisco the problem of check cashers and pay day lenders, adding that before that they only had statewide data which was not that helpful. He said that this has really been impotence, especially the graphic which seems to bring the urgency of the situation to ones attention. He said the Planning Department would be the entity that would conduct the study and develop the rules, adding that they are expected to do that if and when this would pass in December or January. They would then have 45 days or longer to develop suggested rules. Commissioner Thigpen asked if the Commission could get a copy of the Brookings Report. She also asked if he knew the percentages of people using these check cashing places by ethnicity. David Augustine replied stating that he would get a copy of the report to the Commission. He also said that he did not have the breakdowns by ethnicity, but added that Brookings might be able to provide that fairly quickly. Stephen Cornell, a member of the public and small business owner stated that Polk Street merchants had stopped a check cashing place from locating there about 15 years ago, stating that they fall under financial institutions. He said that they protested it, stating that most areas have restrictions on financial institutions. He also said that there is an alternative to the check cashing places, stating that he pays all his employees by check, stating that part of the deal with the bank is that they have to cash the employee's checks, adding that the employee does not have to have an account, nor are they charged a dime. Commissioner Alberts clarified that page 2 of the Brookings Report does break it down by ethnicity. Commissioner Thigpen stated that she believed it only focused on the residents of the neighborhood where these places were located, not the end user. Commissioner Ventura made a motion to support File No. 051721. Commissioner Thigpen seconded the motion. Unanimously approved by the commission.

Item 6 - Presentation, discussion and possible action on proposed ordinance amending the San Francisco Administrative Code to require entities that contract for personal services to compensate the persons providing those services at a rate per hour of no less than the City's Minimum Wage rate and maintain records, designate the City's Office of Labor Standards Enforcement as the enforcement agency, and establish investigation, enforcement and administrative appeals procedures

Supervisor Chris Daly said that he appreciated the commission reviewing his legislation to amend the Administrative Code to add Sections to require entities that contract for personal services to compensate the people providing those services at a rate per hour equal to the city's minimum wage rate. He said that in November 2002, San Francisco voters approved the new minimum wage for San Francisco, adding that in the past year his office had received a number of complaints from constituents who work as vendors for the San Francisco Chronicle. He said that the vendors of the San Francisco Chronicle are not employees of the Chronicle; they are paid contractors, at times making only dollars per day, adding that it is tough to listen to their stories. He said many of them happen to be Filipino. He said the law would apply to firms, proprietorship, partnership or corporations that enter into agreements for personal services that are at least 20 hours in a given month, adding that the Office of Labor Standards Enforcement would set up the procedures and do the enforcement of the legislation and there would be an appeal mechanism established for such firms that wish to appeal the decision. Commissioner Ventura asked if this new requirement would cause businesses to be less competitive in the bid process. Supervisor Daly replied stating that he did not know of any instance except the newspapers where there would be an issue of competitiveness, because it would apply to all entities in the city. Commissioner Ventura agreed, but reminded the Supervisor that a company from outside of the city would likely come in at a lower rate on a city bid because they would not be subject to the fees or higher wages required of San Francisco businesses. Supervisor Daly agreed that if this was the case he would seek a remedy to this in the legislation. Commissioner Thigpen asked besides complaints about the Chronicle, had his office received or known of any other like examples. Supervisor Daly said that it is mostly the Chronicle, but said that perhaps messengers would also be subject to similar wages, including car messengers over bike messengers. He said the item would be heard at committee the following week, at which point the committee could decide to forward to the full Board for approval. Commissioner Ventura stated that he was not ready to take action on the legislation until he got some response around the impact it would have on the bid process. Commissioner Thigpen agreed and added that her reason would also have to do with an issue that has continuously come up at the commission, that being looking at percentages for the city to purchase from local businesses. She said that this issue comes up often at the commission meetings adding that if contracts will be less competitive as a result, the city would have every more reason to look outside the city for providers of goods and services. She said that the commission finds itself staring down the barrel of the same gun yet again, adding that she was sick of talking about this with nothing being done. Thus she said she was not ready to take any action on it either at this point.

Item 7- Presentation, discussion and possible action on proposed ordinance amending the Payroll Expense Tax Ordinance to establish tax exclusion for persons who hire the disabled and the homeless, as specified
Item was tabled.

Item 8- Item removed prior to meeting

Item 9- Budget Committee Report

No report at this time**Item 10- Legislation and Policy Committee Report**

Director Briones Ubalde reported that the committee had been looking into way to streamline the permit process for small businesses. She said that they had since put together a stakeholder list, and said that the first meeting would be December 7th in Room 201 at 10AM. She said currently there are about 10 small business stakeholders on the list, and she encouraged more participation. She said that they would specifically be interested in looking at problems faced by business owners, and finding solutions. She reported that Commissioner O'Connor is co-chairing the group along with Supervisor Fiona Ma are working on two initiatives at this time. The first being Shop Local First, adding that the Mayor will be participating again this year. She reported that the subcommittee is meeting every two. **Director Briones Ubalde** reported that Small Business Week would be May 15-20, 2006.

Item 11 - Community Outreach Committee Report

Commissioner Thigpen reported on the Shop Local First campaign, scheduled for Saturday, December 10, 2005 at Union Square. She asked the commissioners to inform Martha if they would be attending. She reported that the folks from BALLE as well as herself and others had been doing neighborhood canvassing, and had pretty much covered the entire city; nonetheless some areas are still pending. Furthermore she reported that she and Director Ubalde had met with representatives of the Dept. of the Status of Women, stating that they want to collaborate to help and encourage women to start businesses. **Commissioner Ishimoto** reported that he too had been canvassing neighborhoods with Don Shafer of BALLE. **Commissioner Alberts** reported on her International Business Task Force, stating that the US Department of Commerce, via Stephen Crawford was interested in linking websites. She said that on December 1st, she would be meeting with them again to discuss next steps. **Commissioner Thigpen** thanked Commissioner Alberts for her work with the International Business community through her task force. **Commissioner Ventura** reported on his recent work with the Human Rights Commission, stating that the Commission had decided through him and Director Ubalde to help get the word out about the DBE to the community. He said they found themselves in a hurry to amend the DBE Ordinance in order for the SBC to help with the process. He reported that as a result the Mayor issued his Executive Directive, stating that they want to and look forward to working with him. He reported that soon thereafter he started working on a plan that would look at the goals outlined in the directive, along with objectives for those goals that would address the how, when and who aspects of attaining those goals (see Draft Roll-Out Strategy). **Director Briones Ubalde** stated that she was hopeful that this would result in folks coming to the commission with solutions, not just problems. **Commissioner Sahagun** stated that he would like to see a presentation and discussion around the matrix as an agenda item at the next meeting. **Commissioner Ishimoto** stated that he was impressed that the directive had been crafted in such a way that did not require legislation. **Director Briones Ubalde** stated that while this is one angle, work still must continue on the DBE Ordinance. **Commissioner Thigpen** suggested that a percentage of monies or bids be awarded to local small businesses. She gave an example of Western Australia, stating that the percentage of monies awarded to local businesses there is 75%, adding that something must be done toward this end.

Item 12 - President's Report

No report at this time

Item 13 - Vice President's Report

Commissioner Ishimoto thanked President Sahagun, stating that he is too quick to give credit outside of himself, adding that he does a lot more than he makes it sound. He reported that he had been attended a number of emergency preparedness events/meeting and said that he realized that not a lot can be done to prepare small businesses without funds being made available for it. He said he would continue talking to the Office of Emergency Services and would try to see if they could make some funds available from their budget for small business consultants to help small businesses prepare for a disaster.

Item 14 - Director's Report

Director Briones Ubalde reported that the cost for broadcasting the commission meetings would be \$800 per meeting. She sated that there were 7 more meetings left in the fiscal year and the total would be \$5,600. She suggested that the commission think about next years goals before they agree to pay to televise the meetings. Commissioner Ishimoto suggested polling the merchants associations to gain a sense from them if it would be worthwhile to televise meetings. Commissioner Alberts stated that anything that one does ought to be publicized, otherwise it's useless. Commissioner Sahagun said that he thought the commission had previously voted to televise the meetings. If not, he suggested the commission vote once and for all.

Item 15 - New Business

Commissioner Richardson requested that the commission create an award to be awarded to businesses that had been in businesses for x number of years. Commissioner Alberts requested to have a Press Release issued for the launch of her International Business Task Force. Commissioner Sahagun added the other items already mentioned including the HRC matrix and the Mayor's directive. Commissioner Thigpen requested to discuss the percentage of contracts awarded to small businesses.

Item 16 - General Public Comment

Mehran Esmaili a small business owner encouraged the commission to continue to do the work they are doing. He reported that folks in District 5 had been getting together to discuss emergency preparedness. He said that there is no fire station in District 5, hence they need to come up with a general plan district by district and distribute to the various districts. He volunteered to bring some of the materials to the merchants associations. Director Briones Ubalde thanked him and said that the commission would like to take advantage of his assistance.

Item 17 - Adjournment (Action Item)

Commissioner Thigpen made a motion to adjourn. Commissioner Richardson seconded. The meeting was adjourned at 8:12 P.M.



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Small Business Commission >> Meetings

City and County of San Francisco
Small Business Commission



December 12, 2005

City and County of San Francisco

SMALL BUSINESS
COMMISSION

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Notice of Meeting & Agenda

For

Monday, December 12, 2005

City Hall, Room 400

5:30PM

**1 Dr. Carlton B. Goodlett Place, San
Francisco, CA 94102**

COMMISSIONERS:

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts

Michael E. O'Connor

Dr. Raye Richardson

Jordanna Thigpen

Richard Ventura

Agnes Briones, Executive Director
Commission Secretary, Martha Yañez

1. Roll Call for the December 12, 2005 meeting of the Small Business Commission
2. Approval of the November 14, 2005 Small Business Commission meeting minutes (Action Item)
3. General Public Comment -allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (Discussion Item)
4. Presentation of proposed Worker Health Care Security Ordinance. Presentation by Supervisor Ammiano / Staff (Discussion item)
5. Discussion and Possible Action regarding termed-out Commissioners, the process for appointment / re-appointment and the process for election of officers. Presentation by Virginia Dario-Elizondo, Deputy City Attorney (Action Item)
6. Budget Committee Report - allows the Chair to report on recent committee activities and make announcements (Discussion item)
7. Legislation and Policy Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion item)
 - Small Business Advisory Panel (Streamlining Services) Update, Chair Michael O'Connor
8. Community Outreach Committee Report -allows the Chair to report on recent committee activities and make announcements (Discussion item)
 - International Business Task Force Report, Report by Chair Florence Alberts
 - Small Business Week, Report by Chair Jordanna Thigpen
9. President's Report -allows the president to report on recent small business activities and make announcements (Discussion item)
10. Vice President's Report -allows the vice president to report on recent small business activities and make announcements (Discussion item)
11. Director's Report - allows the director to report on recent small business activities and make announcements (Discussion item)
12. New Business -allows the Commissioners to introduce new agenda items for future consideration by the Commission. See some items below among possibly others (Discussion item)
13. General Public Comment -allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration (Discussion Item)
14. Adjournment (Action item)

Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.

Explanatory Documents: Copies of proposed legislation and other related materials listed in this agenda are available for public inspection and/or copying at City Hall room 448. Please call Martha Yanez (415) 554-6134 to make arrangements for pick up or review.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that city operations are open for the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083. To obtain a free copy of the Sunshine Ordinance contact:

Frank Darby, Administrator
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
Office: (415) 554-7724
Fax: (415) 554-5163
E-Mail: sofff@sfgov.org

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org.

Cell Phone and/or Sound-Producing Electronic Device Usage at Hearings

Effective January 21, 2001, the Board of Supervisors amended the Sunshine Ordinance by adding the following provision: The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Disability Access Policy

Accessible seating for persons with disabilities (including those using wheelchairs) is available. The closest accessible BART Station is the Civic Center station located at the intersection of Market, Hyde and Grove Streets. Accessible MUNI lines serving the Veterans Building are 42 Downtown Loop and the #71 Haight/Noriega and the F line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services call 923-6142. Accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex. American Sign Language interpreters and/or a sound enhancement system will be available upon request by contacting Milton Edelin at 558-6410 at least 72 hours prior to a hearing. Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-8925 to discuss meeting accessibility. In order to assist the city's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the city to accommodate these individuals.

Translation Services

Interpreters for languages other than English are available on request. Sign language interpreters are also available on request. For other accommodation, please call the Department of Human

Services staff support representative at 557-5989 at least two business days before a meeting.

Lobbyist Ordinance

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by San Francisco Lobbyist Ordinance [Article II of the San Francisco Campaign and Governmental Conduct Code] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 30 Van Ness Ave., Suite 3900, SF 94102 (415) 581-2300, FAX (415) 581-2317 and web site address at <http://www.sfgov.org/ethics/>.

Chemical Sensitivity

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical base products. Please help the City accommodate these individuals.



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Small Business Commission >> Meetings

City and County of San Francisco

Small Business Commission

December 12, 2005

**CITY AND COUNTY OF SAN FRANCISCO
SMALL BUSINESS COMMISSION**

City Hall, Room 400

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

MEETING MINUTES**Monday, December 12, 2005 5:30 PM**

____ Small Business Commissioners ____

David Sahagun, President

Norman Ishimoto, Vice President

Florence Alberts, Michael O'Connor, Dr. Raye Richardson, Jordanna Thigpen, Richard
VenturaExecutive Director - Agnes Briones
Commission Secretary - Martha Yañez

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Members Absent: Commissioner Richardson (excused)

Call to order:**Item 1 - Roll Call**

The Small Business Commission met on Monday, December 12, 2005 in regular session. The meeting was called to order at 5:34PM

Item 2 - Approval of minutes for the November 14, 2005 meetings of the Commission (Action Item)

This item was tabled until the next meeting of the commission.

Item 3 - General Public Comment (Discussion Item)

Andre Angelantonì, a member business of the SF Chamber of Commerce informed the Commission of a new conference being held April of 2006. He said the Conference title is "Saving Green by Going Green", and the purpose of the conference is to show small businesses how they can connect with city, state, and non profit programs while they are conserving energy, water, and reducing their waste. He reported that there are currently a few organizations on board including, the Golden Gate Restaurant Association (GGRA), the Department of the Environment, the Chamber of Commerce Small Business Advisory Committee Smart Lights Program, and more currently working with Commissioner Thigpen to represent the Commission during the planning of the conference. He explained that the conference will use a rather unique way of supporting small businesses, known as a social networking model, which will provide a dedicated coach, known as an "environmentor", which will support the business before the conference and during to ensure that they connect with people. He said the "environmentor" will then report back to see how many kilowatt hours have

been saved, or gallons of water etc. He said he hoped to come before the commission in the future to answer any questions and or provide updates. Margaret Brodtkin, Director of DCYF (Dept. of Children Youth and their Families) invited the Commission to collaborate on the most recent Families Connect event planned for January. Families Connect kicked off last Fall with an event at Yerba Buena Center for the Arts. She said the goal is to make San Francisco a more family friendly city, adding that while they are working toward that end, they also want to celebrate those families that are here. She invited everyone to Family Appreciation Day on Sunday, January 8, 2006, another Families Connect event. She said that San Francisco families with children ages 0-18 will receive FREE admission to many of San Francisco's museums and attractions, plus restaurant discounts. She encouraged the public to visit www.dcyf.org for more information, details and updates. Julie Hanson of DCYF confirmed that the Family Appreciation date is January 8, 2006 from 11-4PM. She said that over 24 San Francisco museums will be participating and said that they had an idea to cluster restaurants that are around the various participating sites including Fisherman's Wharf, and Golden Gate Park for example to offer discounts or kids free option. She said it is a way to highlight the small businesses that provide good family meals. She said that they are partnering with the SF Examiner, thus it would be a good promotional opportunity for the participating restaurants. Commissioner Sahagun suggested that they speak to Rolf Mueller and/or Pat Christenson of the Inner Sunset Merchants, which would be a resource for this type of collaboration. Rolf Mueller, former President of the Inner Sunset Merchants thanked the commissioners that were present but said that he was disappointed that not all the commissioners were present. Commissioner Sahagun stated that Commissioner Ventura was excused.

Item 4- Presentation of proposed Worker Health Care Security Ordinance. Presentation by the Office of Supervisor Tom Ammiano.

Tomas Lee, Deputy Director of the CTA reported that MTA staff had reviewed existing studies and plans, field checks Commissioner O'Connor echoed Commissioner Sahagun's comments, thanking Mr. Lee for coming before the commission to speak to this item. He said the proposed legislation would affect his business and said he was concerned about that as well as other impacts to the community at large. He said that while he appreciated that the item was on the table for discussion, as it ought to be, he could not say with certainty that this was in fact the right piece of legislation to address the issue, adding that it still remains to be seen. He asked to know the background of those involved the crafting the legislation, asking if these individuals or groups really know or considered the repercussion that this mandate would have on the business community and overall city community. Tomas Lee said that all the individuals and groups that he mentioned previously had contributed in some way to the crafting of the ordinance, particularly when the item was heard at the Finance Committee. He said that the Mayor's Office and the Executive members of the Chamber of Commerce had also contributed. Commissioner O'Connor asked who wrote the legislation. Tomas Lee answered stating that only the City Attorneys Office writes legislation on behalf of the city. Commissioner Sahagun stated for the record that he had not provided any comments to the City Attorneys Office. Mr. Lee clarified that all comments heard from the business community and at the Finance Committee were relayed by Supervisor Ammiano to the City Attorney's office for the crafting of the legislation. Commissioner Thigpen expressed her concern over the creation of the task force referenced in

Section 14.6 (a) of the draft legislation having to do with the creation of a task force, stating that it sounds like the fee could potentially be imposed on all employers not just those not currently providing health insurance. Mr. Lee said that this was not the intention and that it would only apply to those businesses not providing health insurance. Commissioner Thigpen also said she was concerned with Section 14.6 (b) and (c), stating that there is no stipulation for the designation of members to the task force. As for the fees referred to in (c) Duties, she said asked if this would be a flat fee. Mr. Lee responded stating that they purposefully did not make those designations for the task force to leave it open for discussion and input. Secondly he confirmed that the fee would be a flat fee. Commissioner Alberts asked about the process by which the impact study was done and she expressed interest in reviewing that impact study. Mr. Lee stated that the studies are a matter of public record and they included the Kaiser Foundations study. Commissioner Alberts asked if the study had looked at and or considered the number of businesses that would be impacted and the potential loss of business and/or jobs. She recommended an impact study on the estimated 540 businesses that will potentially be affected by this mandate. Commissioner Richardson expressed her frustration with the Department of Public Health and health care in general in the city, stating that DPH is not concerned with public health, adding that it ought to be a right just like fire protection and public safety are. She stated that she does not believe that the proposed legislation addresses the real issue, adding that in fact the approach seems backwards. She said that there ought to be public hearings on the issue of universal health care, stating that people should be able to come out and tell us what they think. She said the public should be able to come out and express their views and ideas on the issue. She proposed that the entire public health system be overhauled. Commissioner O'Connor, following up on the estimated 540 businesses that would be affected by the proposed legislation, stated that he sensed that the number would be much higher than 540. He said that there is a major misconception of small businesses that they are all wealthy and are reluctant to share the wealth, adding that he personally is not that. He said he is providing jobs in the Western Addition, filling a niche that often time is overlooked. He said there are many people that prefer to work part time jobs because they are students or pursuing other careers, whereby working part time at his establishment is just what they want. He said that he liked the intent of the legislation, but expressed his concern over the potential loss of jobs, which sometimes may not offer health coverage, but which do provide a service and a foot in the door to many that need it. Commissioner Ishimoto said he found it hard to be polite, stating that he had recently seen the movie about Wal-Mart, which upset him very much. He said that the city can not keep coming at small businesses to carry the burden, adding that he had given up being an employer long ago because it was too much of a burden. He suggested that the legislation be phrased in such a way that it does not cut at the heart of small businesses. Tomas Lee said that Supervisor Ammiano is open to suggestions, specifically policy suggestions. He again referenced the Kaiser Foundation study, stating that providing health care is actually an investment and he suggested they look at it that way, adding that employees will be healthier overall, and thus take less time off work etc. Commissioner Sahagun listed a series of current requirements for businesses including among others, payroll tax, business tax, various license fees, etc., asking what happens if a business simply can not pay the additional expenditures.

Tomas Lee responded stating that these are suggestions that they are seeking from the businesses community, asking, what would be appropriate. Commissioner Ishimoto asked if they cared if companies go out of business as a result of this mandate. Tomas Lee responded by saying that actions speak louder than words, referring to Supervisor Ammiano's proactive approach in keeping big box companies out of San Francisco. Linda Mjellum of the Union Square Association, which represents 300 businesses both large and small, said that while the association had not officially taken a position on the legislation, they are studying in nonetheless to find out how it will impact their businesses. She said she remembered being in a meeting and hearing about the legislation, but never finding out when and where meetings were scheduled. She reported that she had personally spoke to some member businesses and asked them specifically about how the ordinance might impact them. She said one common concern was that there is no cost containment or cost sharing in the initiative. She urged the commission to urge the authors to enact Proposition I in this case to study the economic impact of the proposed legislation. Kevin Westley of the Golden Gate Business Association (GGRA) expressed the GGRA's concerns with the legislation, specifically the differential aspect of it. He said that they would request that the Mayor request an audit of the Department of Public Health so that it is clear how the money is being spent. He went on to say that most employees are providing health coverage and paying over \$200 per employee per month, adding that under the proposed mandate they would be required to an additional \$100 and then some. He said that restaurants will do what they have to do to stay open that that would include the elimination of jobs. Jim Lazarus of the San Francisco Chamber of Commerce echoed the commissioner's thoughts, particularly Commissioner Richardson's points about the backwardness of this all. He said that outside expert advice is needed in this situation. He recalled a plan that was done years ago that would cost half as much as the proposed \$345 that this ordinance mandates, adding that this legislation ought to go back to the drawing board. He said that the legislation has the potential to impact not only the estimated 500 plus businesses but all businesses approaching 20 employees. He urged the commission to ask for the creation of the task force and to exercise Prop. I and do an economic impact study. Scott Hauge of Small Business California, Small Business Advocates and owner of Cal Insurance, a small business in San Francisco stated that while he provides full coverage at 100% he would still not comply with this mandate. He said that Small Business California will receive an award for the insurance work that they do, adding that they want to provide health insurance. He reported that they had met with Supervisor Ammiano regarding Proposition 72, which stipulated a minimum total of 50 or more employees, not 20 as this legislation does. He said it is very different and for them to pass it off as the same is wrong. He suggested having other folks on the task force including Blue Shield representatives among others. Mark Klaiman, owner of Pet Camp in San Francisco said that while Pet Camp employs less than 20 employees full time, sometimes they do go over. He said that they pay less than the \$345 per employee per month which the legislation mandates, adding that it is too much. He encouraged the commission to work with the Supervisor and the City Attorney on this. Bruce Livingston of Senior Action Network stated their support for the legislation. He said that they are concerned and do not want businesses to go under, adding that there have been many good suggestions expressed and he appreciated it. He said he looked forward to the amendments to the legislation. However, he said let's be clear about who the

commission represents, stating that he thought small businesses meant very small, adding that it sounds like the commission considers businesses with 30-40 employees small. He said that there are businesses that do not provide health coverage. He said he did not know where the \$345 per month figure had derived from, adding that he has 10 employees and he does not pay \$345 per month. He said he looked forward to discussing this further and said let's get off our butts and do something. Commissioner Sahagun said that \$345 per month was the 10 county averages for health coverage. Rolf Mueller, a member of the public and a small business owner with seven employees stated that in other countries employees pay for their own health care. He said he provides full health care to all employees. He said he believed they were being lied to when told that small businesses were included in the process and provided input. He said it is an issue of small and large businesses, adding that he would like the Office of Supervisor Ammiano to be true to their words even if after the fact, meaning that he expects them to meet with and work with the small business community as they so have stated. Ryan Chamberlain of SFSOS stated that he was irate, adding that this has got to be one of the top 10 idiotic ideas in the city. He said that 13% of the city's population is not covered, and he echoed Commissioner O'Connor's comments about the part time worker who may choose to work part time because he/she may have other things going on, including other jobs and professions. He said that in some cases people may be double dipping. Commissioner Thigpen expressed her concerns over the already high cost of living in San Francisco for residents and businesses alike. She said it is a competitive advantage for others to move to surrounding areas. Commissioner O'Connor recommended for the Commission to request an independent economic analysis and said that once completed hopefully the Commission would be able to make a more informed decision. Commissioner Sahagun agreed, stating that Proposition I was enacted for this process. He said the Commission should request the use of Prop. I in this case, particularly because the potential impact would be much larger than estimated. He summarized some of the concerns expressed from the public, including: lack of business representation, lack of impact study on small businesses, downsizing San Francisco businesses will cost jobs, and no cost sharing among others.

Item 5 - Discussion and possible action regarding termed-out commissioners, the process for appointment/re-appointment and the process for election of officers. Presentation by Virginia Dario Elizondo, Deputy City Attorney

Deputy City Attorney Virginia Dario-Elizondo stated that the term for each seat on a board or commission is fixed at the time the commission is constituted. The commission is constituted when a majority of commissioners are sworn in. The term for each seat runs whether the seat is occupied or vacant. Charter §18.114 provides that when a new board or commission is created or when new members are added to an existing board or commission, the members must be appointed to staggered terms. Once a term expires the incumbent, if not replaced, may retain the office as a holdover commissioner and must vote as they normally would. The incumbent is replaced by operation of law once the Mayor appoints another candidate to the office. When the replacement candidate is appointed, he or she will serve the unexpired balance of the term. It is important to distinguish between the term of an office and an individual commissioner's tenure

in that office. The term of an office is generally a fixed period of time measured from a fixed anniversary date. For City boards and commissions, the term is generally four years from the date a quorum of the entity was first sworn into office (unless the enabling legislation mandates a specific operative date). The term runs with the office, not with the individual occupant. As noted above, the term continues to run thereafter whether the seat is occupied or vacant. If, for example, a seat is left open for six months after the date the term expires, the term of the office remains four years, but the next commissioner--if appointed six months after the prior term expired--will only hold office for the remaining three and one-half years of that next term. The commissioner does not have a right to a full four years in office from the date of his or her appointment.

Item 6- Budget Committee Report

No report at this time

Item 7- Legislation and Policy Committee Report

Commissioner O'Connor reported that the Commission in collaboration with Supervisor Ma's office and the Mayor's Office had kicked off the streamlining the permit process idea that he had shared during the Commission's retreat in January. He reported that the first meeting took place and said that representatives of city departments regulating business activities were invited. He said they agreed to work with the Commission and agreed that it is important. He said that small businesses are key to San Francisco and the city needs to facilitate them doing business here. He thanked Director Briones Ubalde for her tireless work as well as Supervisor Fiona Ma and the others who have worked on this effort. Director Briones Ubalde commented on the panel, stating that the panel will meet again on January 11th in Room 201 at 10AM, and they would begin to hear presentations from city departments regarding how they regulate businesses. Commissioner Albert's suggested that the panel look into the SBA's facilities and service including SCORE, and the SBDC, stating that they provide many services to small businesses at no cost. Commissioner O'Connor agreed that this was a good point and said that the commission would be reaching out to these and other similar agencies to work together, adding that ideally there would be a location in or around civic center where many services would be provided.

Item 8 - Community Outreach Committee Report

Commissioner Thigpen reported on the Shop Local First campaign, thanking all who helped make it the success that it turned out to be. She thanked everyone who came out to the SLF event at Union Square, adding that it was very successful. Commissioner Albert's reported on the recent activities of the International Business Task Force, which she chairs, stating that the first meeting was on November the 8th when the Task Force originally convened. She said she had a follow up meeting on December 2nd to discuss some of the ideas discussed. She reported that she now understands exactly the process that is being conducted by the Department of Commerce, which she said would act as the spring board for all of the other efforts that the Task Force will put together. She said it would be a targeting approach, adding that she had attended one that focused on Vietnam and the Banking industry. Therefore she said that would be the target and they would then go ahead and follow up on the idea of getting some of the local small businesses who

have an interest in banking to participate in these efforts, thus getting some wonderful import export ideas going, investments and other kinds of services that will help the small business community. Director Briones Ubalde reported that staff would be receiving a full report on the Shop Local First campaign, specifically outcomes etc. from BALLE (Business Alliance for Local Living Economies), the contractor who assisted with the campaign. She thanked those folks who helped with the campaign specifically Don Shaffer and Sean Hagen of BALLE, Sharon Miller and her staff from the Renaissance Entrepreneur Center, Neil Soffman from the San Francisco Locally Owned Merchants Alliance (SFLOMA), Martha Yanez of the SBC, and Commissioner Thigpen for her leadership and initiative. She also thanked Mayor Newsom and Supervisor Daly who came out the Shop Local First event at Union Square to help celebrate the contributions that small businesses make to our economy and communities. Finally she congratulated the winner and runner's up, including Arkipelago Philippine Books, Marche4th! Productions, JAK Designs, Maximum Mama Maternity, and Paragon Strategies. Commissioner Ishimoto added kudos this year's version of the campaign and the much improved title. He said that he was able to attend the Renaissance exhibition and reported that it was a well planned event with high quality products. He hoped that in the future each or at least some of the shopping districts could have a companion event in the districts in the future. Commissioner Thigpen reported briefly on Small Business Week, stating that the executive committee is continuing to meet once a month. She said that the executive committee has been divided into subcommittees, with Commissioner Ventura serving on the sponsorship committee. She reported that Kevin Westley of the GGRA is the newest committee member and said that he would be coordinating the Flavors of San Francisco for the kick off event at City Hall.

Item 9 - President's Report

Commissioner Sahagun thanked his fellow commissioners for pitching in and actively participating in commission activities and issues.

Item 10 - Vice President's Report

Commissioner Ishimoto in response to Commissioner Albert's comments on the International Business Task Force stated that he had recently attended a seminar in San Jose on international innovation and competitiveness. He said that they had 8-10 experts ranging from intellectual property to angel investing. He said that he would share his notes with the commissioners. Secondly he reported that he was invited to make some brief remarks at the Bayview Business Resource Center Holiday party. He reported that this meeting would be his last meeting as a commissioner, stating that his term would be up on January 6th and he would not be seeking a second term. He thanked his fellow commissioner for the wonderful experience of serving with them and staff. He commented that he planned to pursue funding for disaster preparedness for the city and said he looked forward to working with the commission in the future. Commissioner Thigpen said it was a pleasure to work with both Commissioner Ishimoto and Commissioner Sahagun and said she wished to continue her professional relationship with the both of them. Commissioner Richardson asked about the seminar that Commissioner Ishimoto had attended, specifically the intellectual property, asking what the conclusion of the seminar was. She stated that her business had received a request from Nigeria for donated books, but said that they plan to reprint in volumes and do not seem concerned with copyright laws etc. Commissioner

Ishimoto said that the focus was on the Pacific, but said that from what he knows, there has to be laws in place in that country against it and then it needs to be enforced. Commissioner O'Connor also thanked both Commissioner Ishimoto and Commissioner Sahagun for their work on the Commission. Commissioner Alberts echoed the remarks made by both Commissioner Thigpen and Commissioner O'Connor. She said that it would be a real loss for the commission, but said that it's not over yet, pointing out that both members could serve until appointments are made if they so choose.

Item 11 - Director's Report

Director Briones Ubalde reported that the Commission received a letter from San Francisco SAFE with information including pointers on keeping businesses and their customer's safe during this holiday season and throughout the year. She reported that SF SAFE's services are available to businesses for free, and include assisting in the organizing of business watch groups and will provide free crime prevention information and materials. If businesses are interested in utilizing the services of SF SAFE, they should call 553-1984. Furthermore, she reported that the commission through her has been involved with the Child Advisory Council, which has been meeting to look at the child care industry. She said that they completed a report and the Council hoped to share the findings of that report with the community at a business breakfast in the near future. She said she would keep the commission informed.

Item 12 - New Business

Commissioner Thigpen requested to place on the agenda for discussion and possible action the following items: requisition of funds for a networking event at City Hall around the Saving Green by Going Green planned event, which she said would basically replace the Green Business Summit that she had previously mentioned; issuance of plaques for businesses for loading and unloading at yellow zones; Small Business Commission annual retreat; status of the Emergency Preparedness Task Force. Commissioner O'Connor requested for the Small Business Commission to draft a resolution requesting an independent analysis of the Health Care Security Ordinance. Commissioner Albert's requested to get an update on Prop. 1 and the Economic Development Plan. Commissioner Richardson requested to address the lack of attention to the trimming of the trees on Fillmore Street between Post and Sutter Streets, stating that the trees across the street from her business have not been trimmed and causing overgrowth which in turn is blocking the street light and making it quite dark in the neighborhood. She said this is a safety issue now, adding that hers and other businesses had been robbed. She requested urgent attention to this on behalf of DPW and the Police Department. Director Briones Ubalde said she would follow up with DPW on the issue.

Item 13 - General Public Comment

None.

Item 14 - Adjournment (Action Item)

Commissioner Thigpen made a motion to adjourn. Commissioner O'Connor seconded. The meeting was adjourned at 7:45 P.M.

